

# Shoreline Access Management Plan

COASTAL ZONE

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Maui County Planning Department

*State of Hawaii, Dept. of Planning*

# Shoreline Access Management Plan



PREPARED FOR:  
**COUNTY OF MAUI**  
**PLANNING DEPARTMENT**

COASTAL ZONE  
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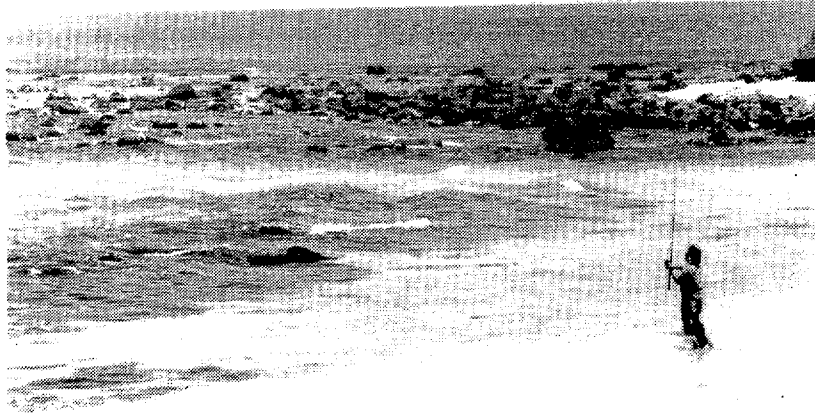
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# SHORELINE ACCESS MANAGEMENT PLAN COUNTY OF MAUI

## PREFACE



Maui County's shoreline is among the most beautiful in the state, and offers to the people of the County valuable recreational, scenic, educational and traditional food gathering opportunities. While these shoreline areas are protected by a body of federal, state and county laws, it is also important to focus attention on the means by which these locations can be accessed by the public.

All parts of the shoreline are not necessarily accessible or available to the public due to impassable or hazardous terrain, unsafe shore conditions, environmentally sensitive areas, privately owned land, military installations and other security bound land uses abutting the coastline can prevent access. However, there are many coastal areas which offer prime, high level value for recreational, scenic and general enjoyment public uses.

This Plan is but one part of Maui County's comprehensive efforts to identify and develop a management program for present and future public shoreline accessways. A computerized inventory of existing accessways, and a public information guide on shoreline access have also been prepared in addition to this Management Plan.

It is viewed as a starting point for the County and is a pioneering effort in the State of Hawaii to maintain a current inventory and establish standards for the maintenance and aquisition of coastal accessways for the public's use, njoyment and convenience. In this way, policies can be modified to meet changing times and updated as new information becomes available.

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## **CHAPTER I INTRODUCTION**

### **A. NATURE OF THE PROJECT**

The development and maintenance of a shoreline accessway system involves various aspects of social, economic, fiscal, and spatial planning. It should link public roads and highways to shoreline space and provide for appropriate modes of transportation to, from and within the area site. It is affected by surrounding land use values and will often require coordination with other types of resources management within the immediate area.

It should be noted that this plan does not address the management of shoreline resources, which would include public access as one of its features. A management plan for shoreline resources would include at least an assessment of an area's shoreline resources, suggestions or recommendations relating to their management and perhaps measures to secure access to these identified resources.

This plan, the Shoreline Access Management Plan, could be viewed as a component of an overall Shoreline Resources Management Plan. The thrust or focus of this Shoreline Access Management Plan is the maintenance and establishment of linkages between public roads to shoreline resources within the framework of applicable laws and legal issues. This is particularly important in view of Maui County's continuing growth and expanding coastal development.

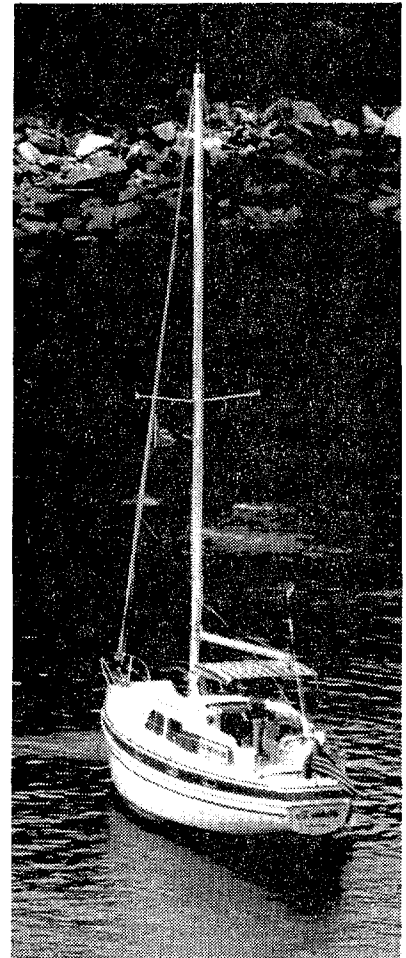
#### **1. Coastal Zone Management Program**

The establishment of public access to coastal areas is assisted and encouraged by a body of federal, state and county laws and programs. At the federal level, the Coastal Zone Management Program was established under the Federal Coastal Zone Management Act adopted by the Congress in 1972. Participating coastal states receive assistance and encouragement through this program to develop and implement localized management programs for the protection and effective development of their coastal resources.

A partnership between federal and state governments is established through the development of comprehensive coastal zone management programs at local levels with federal funding support. Hawaii became eligible for funding under this Act in 1978 when the State's Coastal Zone Management Program was approved by the U.S. Secretary of Commerce.

#### **2. Source of Funding**

Given Maui County's rapid development and population growth, spurred by a healthy tourism industry, a systematic way to effectively manage current and future shoreline accessways through the consistent and continuous application of reasonable standards and guidelines is a needed tool.



To that end, an application was submitted for federal assistance funds to conduct an inventory of known shoreline accessways in Maui County; to prepare a complete data base for use by County agencies and to provide shoreline access information to the public.

The preparation of this Shoreline Access Management Plan as part of Maui County's shoreline access project, has therefore been financed in part by the U.S. Department of Commerce through its Office of Coastal Zone Management, National Oceanic and Atmospheric Administration. Additional funding was also received from the State of Hawaii.

### 3. Project Components

Maui's shoreline access project includes:

- a computerized inventory and 35mm slide transparencies of known shoreline and coastal accessways;
- public access guide;
- a shoreline access management plan addressing maintenance and establishment of county accessways.

An inventory of all known shoreline accesses on private and government-owned land has been organized on a computer data storage format to enable quick information retrieval and future updating of new accesses or changes to existing ones. It provides a baseline of shoreline access information including numbers and types, extent of facilities, condition and amenities.

Visual depictions of these accessways are provided by 35mm slide transparencies. These slides utilize a ground level perspective and were prepared to accompany the computer inventory. A shoreline access guide for public use, patterned after successful efforts in other jurisdictions, is meant to serve as a useful and needed public information handbook for those accessways clearly deemed public. It brings together pertinent information relating to shoreline access including location, regulations, safety precautions, and permitted/prohibited recreational activities in one convenient guidebook.

Lastly, a Shoreline Access Management Plan for these accessways was undertaken to provide information on the numbers and types of the County's existing shoreline accessways; to determine standards for establishment, design and maintenance including funding alternatives; and to suggest courses of action for future programs.

## B. SCOPE OF SHORELINE ACCESS MANAGEMENT PLAN

### 1. Components of the Plan

Maui County's shorelines are among the most varied in the State of Hawaii. This document covers the coastal areas of its three residential islands: Maui; Molokai; and Lanai. The fourth island of Kahoolawe is uninhabited and under the jurisdiction of the U.S. Navy with limited access. As such, inventory data on this island have not been included.



The Plan includes:

- a. background information on national and local public policies relating to public access to shoreline resources, including county community plans and legal aspects of private property use and acquisition outside the permitting process (Chapter II);
- b. an identification and assessment inventory of current shoreline accessways (Chapter III);
- c. standards and criteria relating to the location, distribution, design, construction and maintenance of shoreline accessways. The use of guidelines and standards contribute to maintenance levels of current accessways, agency coordination, and consistency as accessway issues occur on a case by case basis (Chapter IV);
- d. an implementing framework which includes an ongoing maintenance program for existing accessway facilities, including the prioritization of maintenance needs, methods of determining cost identification and manpower requirements; and for future needs, an acquisition program which suggests needed future shoreline accesses and community participation and education programs. While the issue of liability falls outside the scope of this report, some discussion is provided (Chapter V).

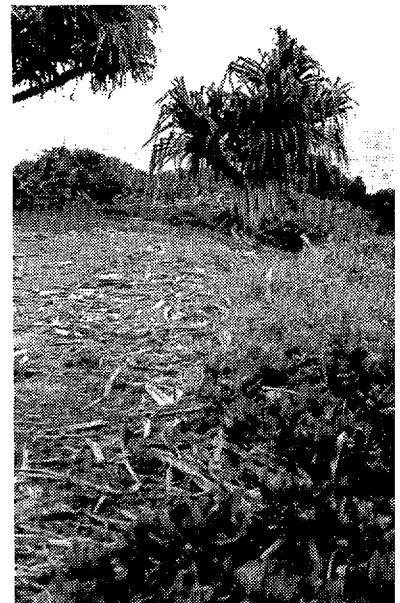
## 2. Planning Process

Work began on the project in January 1986. The approach taken included the examination of other county efforts in developing shoreline management plans, contact with various state, county and federal agencies involved with the planning and management of shoreline accessways, and working with professional experts and consultants knowledgeable in the field.

Public meetings were held to inform the public of the County's efforts in this regard, and at the same time, to gain some understanding and feedback from the community on existing and future accessways including location, types of use, and condition. These meetings were held over a three month period, from February to April 1986 as follows:

February 6	Lanai City, Lanai
February 7	Kaunakakai, Molokai
February 19	Hana, Maui
February 20	Kahului, Maui
February 21	Lahaina, Maui
April 16	Lanai City, Lanai

Citizens were also invited to submit additional written comments subsequent to the community meetings until March 16. Comments relating to standards for existing and new accessways were especially sought, and have been incorporated in this plan.



Data from existing government records relating to accessways were combined with field surveys of existing public accessways along the coastal and shoreline areas of Maui County, excluding Kahoolawe, to verify existence or nonexistence of accessways. An inventory checklist was prepared and used relating to size, location, physical facilities and natural attributes; ownership; and other relevant information.

The inventory checklist organized existing shoreline access information as follows:

- a. Location by island, region, and Tax Map Key identification.
- b. Ownership—whether by easement, right-of-way lot, and whether private or public (county, state, or federal jurisdiction).
- c. Nature of coastal interest—beach, fishing, picnicking, water sports, scenic, or other.
- d. Specific conditions of accessways including identifying signs and landmarks, type and width of access, availability, and nature of parking, types and condition of facilities, if any.
- e. General condition of right-of-way, maintenance, safety hazards, area description.

While government records document location, ownership and other data of record, important user information was also added through the series of community based meetings and active field survey of the sites themselves.





## CHAPTER II STATUTORY FRAMEWORK

### INTRODUCTION

Since the early 1970's, government's overall efforts to ensure the use of coastal area resources has generated a large body of law and public policy. Essential to management efforts is an understanding of its development, the accompanying intent behind it, and the various issues involved. The purpose of this chapter is to describe the major features of federal, state and county actions regarding shoreline access.

#### A. FEDERAL ACTION

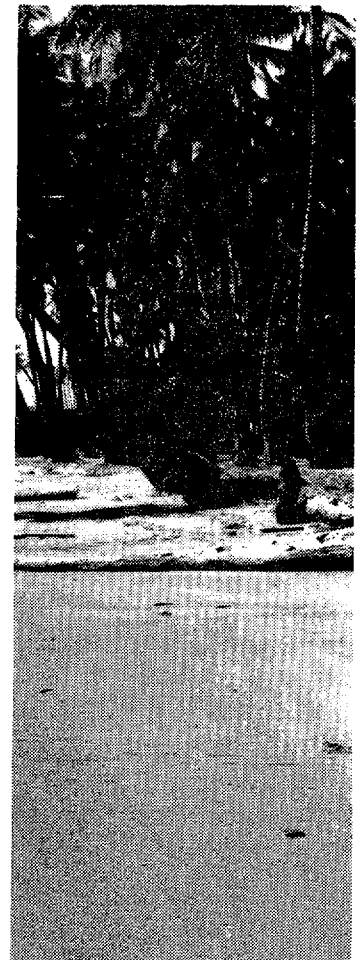
In 1972, the Congress adopted a Federal Coastal Zone Management Act, Public Law 92-583. It reflected the national interest in the effective planning, management, beneficial use, protection, and development of the coastal zones of the several states. The Act authorizes grants to the states to encourage them to exercise their full authority over the lands and waters in the coastal zone by assisting the states, in cooperation with the federal and local governments and other vitally affected interests, to plan and develop management programs for the land and water resources of their coastal zones. These programs include unified policies, criteria, standards, methods, and processes for dealing with land and water use decisions of more than local significance.

PL 92-583 encourages coastal states to develop and implement localized management programs for the protection and effective development of their coastal resources. Under this Act, each coastal state was to develop its own statewide coastal zone management program, subject to the approval of the U.S. Secretary of Commerce. The national program is administered by the U.S. Department of Commerce through its Office of Coastal Zone Management, National Ocean Service, National Oceanic and Atmospheric Administration.

#### B. STATE STATUTES AND POLICIES

Shoreline and coastal areas have added significance for the island state of Hawaii. Surrounded by ocean on all sides, its policy actions reflect the importance and value of this environmental feature. A number of relevant state policies affecting shoreline access for the public are contained in Hawaii's laws. Among these are:

- Hawaii State Plan (Chapter 226, Hawaii Revised Statutes)
- Shoreline Setback Law (Chapter 205, Hawaii Revised Statutes)
- Access Dedication Law (Sec. 46-6.5, Hawaii Revised Statutes)
- Lateral Access and Rights-of-Way Acquisition (Sec. 115, Hawaii Revised Statutes)
- Rights-of-Way to Sea and Game Preserves (Sec. 171-16, Hawaii Revised Statutes)
- Hawaii State Coastal Zone Management Act (Chapter 205A, Hawaii Revised Statutes)



## 1. Hawaii State Plan (Chapter 226, HRS)

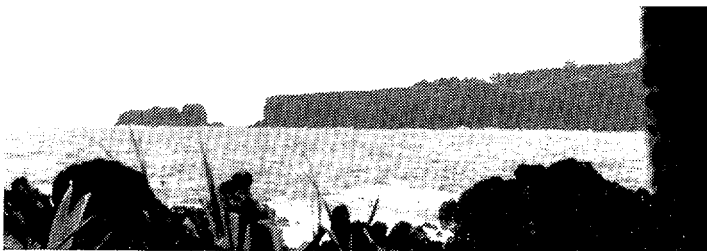
The Hawaii State Plan was first adopted by the State Legislature in 1978 to improve the planning process in the State, increase the effectiveness of public and private actions, improve coordination among different agencies and levels of government, provide for wise use of Hawaii's resources and serve as a guide for the future long-range development of the State. By these actions, Hawaii became the first state in the nation to enact a comprehensive State Plan setting forth goals and objectives to guide the state's future development.

Much attention is given to shoreline areas as part of the concerns over the environmental impact of continued population and economic growth. One of its three major goals relates to " . . . A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people."

Among the objectives and policies relating to the land based, shoreline and marine resources of the State, the planning and design of activities are to take into consideration the physical attributes of these areas. Compatible relationships among activities, facilities, and natural resources especially within shoreline areas are to be pursued. Greater accessibility and prudent use of the shoreline for public recreational, educational, and scientific purposes are to be promoted.

Priority directions regarding Hawaii's land resources include preservation and improvement of shoreline open spaces and scenic resources and the utilization of Hawaii's limited land resources wisely in order to insure the protection of the environment and the availability of the shoreline, conservation lands and other limited resources for future generations.

County General Plans are also addressed as part of this Act. The formulation, amendment, and implementation of county general plans or development plans are to take into consideration statewide objectives, policies, and programs stipulated in state functional plans adopted in consonance with this Act. Within this context, county general plans are to address the unique problems of each county including population density, land use, transportation system location, public and community facility locations, water and sewage system locations, visitor destinations, urban design and all other matters necessary for the coordinated development of each county and regions within each county.



## **2. Shoreline Setback Law (Sec. 205-31 through 205-37, HRS)**

While the State Plan sets forth broad policies and objectives relating to shoreline resources and public access, specific laws prevent encroachment onto shoreline areas. Hawaii's shoreline setback law is part of Chapter 205, Hawaii Revised Statutes, adopted in 1970 to establish land use guidance policies under the State Land Use Commission.

Part II of this chapter empowers the Commission to establish setbacks along shorelines of not less than twenty feet and not more than forty feet inland from the upper reaches of the wash of waves, other than storm and tidal waves, usually evidenced by the edge of vegetation growth, or the upper line of debris left by the wash of waves. This provides an open space buffer zone between private development and the public beach. The setback area also provides limited protection of development from storm wave action.

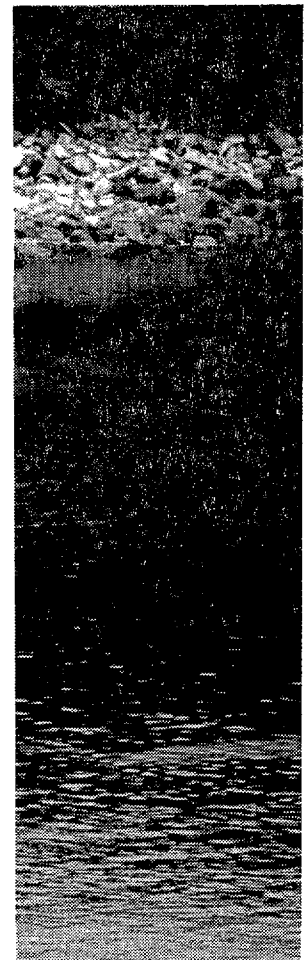
Counties may, through ordinance, establish setback lines at a distance greater than that established by the Commission, thus assuring preservation of Hawaii's shoreline areas. The shoreline setback line is defined as meaning a line established by the state or the counties running inland from and parallel to the shoreline at a horizontal plane. Provisions are also made regarding the unlawful removal of beach material, permitted and prohibited structures within the shoreline area, nonconforming structures and conditions for use, reconstruction and replacement.

## **3. Public Access (sec. 46-6.5, HRS)**

Section 46-6.5, Hawaii Revised Statutes, was enacted in 1973 and mandates each county to adopt ordinances that will require developers and subdividers to dedicate rights-of-way or easements for pedestrian travel for public access from public highways and streets to beach and mountain recreation areas. County approval of development projects is to be conditioned upon fulfillment of this requirement. The statute also provides that the counties assume the cost of improvements to and maintenance of the rights-of-way upon dedication and county acceptance.

## **4. Public Access to Coastal and Inland Recreational Areas (sec. 115, HRS)**

HRS Sec. 115-1 et. seq. deals with the problem of access over privately owned lands as yet undeveloped or developed prior to enactment of the access dedication law (Sec. 46-6.5, HRS). Large sections of some island shorelines are at great distances from the nearest public highways and streets, creating problems of compliance with Sec. 46-6.5.



While Sec. 46-6.5 establishes the maximum distance between public rights-of-way as "reasonable intervals," Sec. 115 allows acquisition of lands for public rights-of-way and public transit corridors under the above circumstances by allowing counties to take into consideration the topography and physical characteristics of the land.

Sec. 115 also clarifies that the right of access to the shoreline includes the right of transit along these shorelines as long as public safety is maintained, defines the area of shoreline transit, allows counties to establish by condemnation public transit corridors along the makai boundaries of the property lines where the topography of the land makes public transit along the shore unsafe, allows DLNR to enter into acquisition agreements with any county council provided that the county matches those funds appropriated by the state legislature, and places the responsibility for development and maintenance of rights-of-way and public transit corridors with the various counties.

**5. Rights-of-Way to Sea Game Management Areas and Public Hunting Areas (Sec. 171-26 HRS)**

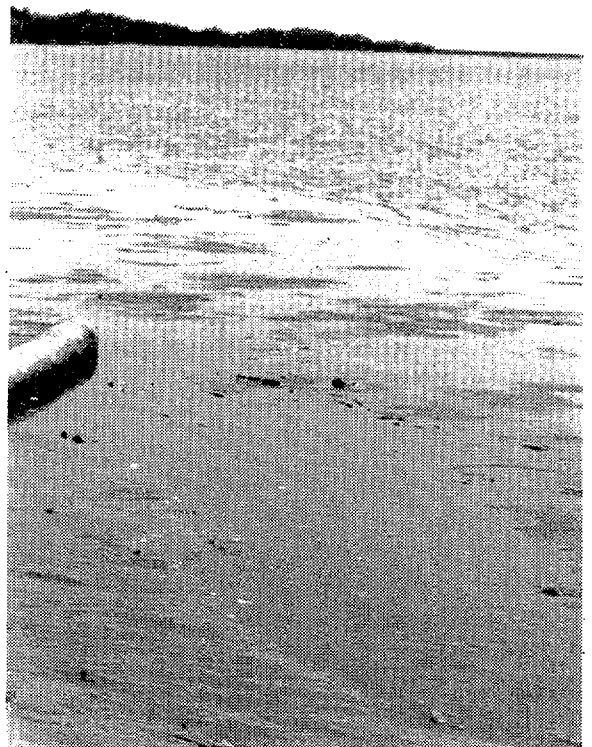
Sec. 171-26, HRS is administered by the State Department of Land and Natural Resources, and requires that agency to lay out and establish a reasonable number of rights-of-way prior to any disposition of any public lands. Public lands is defined for purposes of this statute to include all lands or interests in land classed as government or crown lands prior to August 15, 1895, or acquired or reserved after 1895 by purchase, exchange, escheat or eminent domain.

**6. The Hawaii Coastal Zone Management Program and Law (Ch. 205A, HRS)**

The Hawaii Coastal Zone Management Program, authorized by the State Legislature in 1973 and administered by the State Department of Planning and Economic Development provides the basis for the State of Hawaii and its Counties to implement the overall intent of the national act. The State became eligible for federal funding upon approval of the program by the Secretary of Commerce in November, 1978.

Hawaii's CZM law contains objectives and policies for the program, with specific mention of shoreline access. Among the stated objectives for recreational resources is the provision of coastal recreational opportunities accessible to the public [Sec. 205A-2(b)(1)(A), HRS].

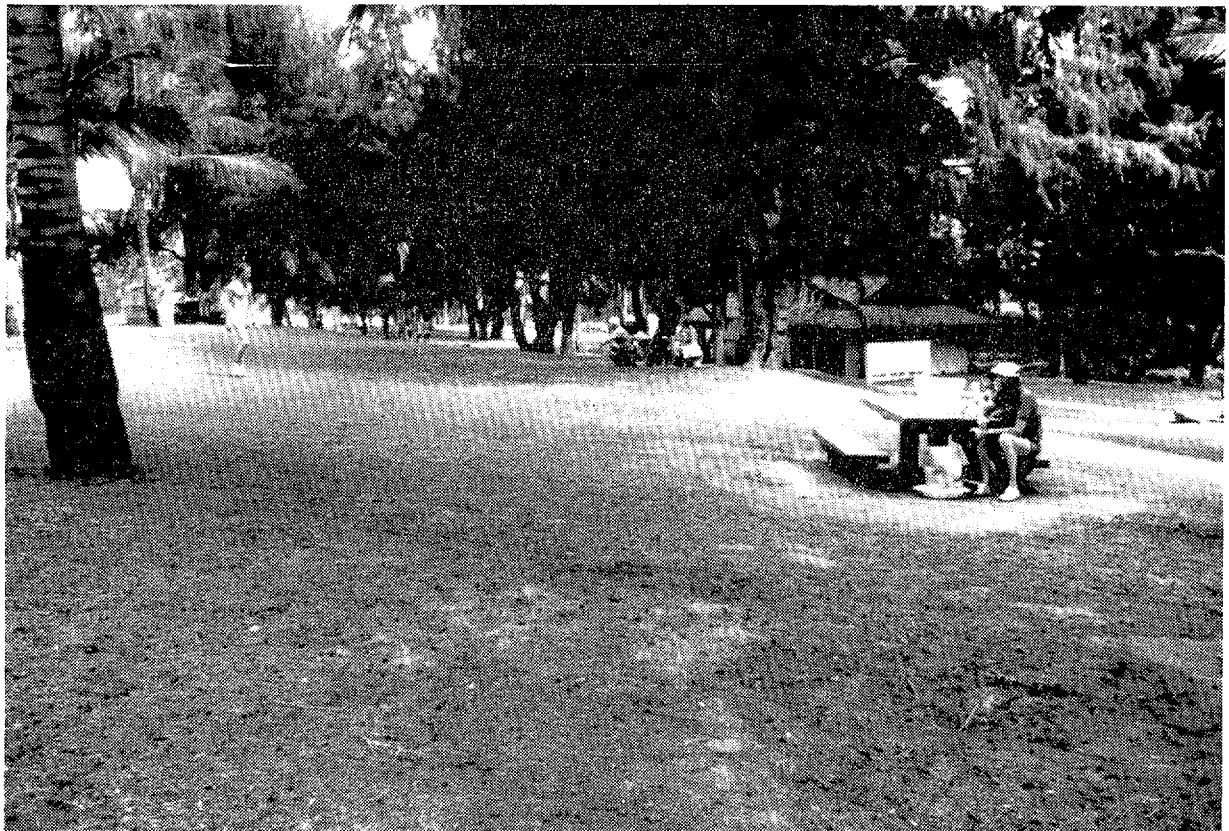
Providing adequate, accessible, and diverse recreational opportunities in the coastal zone management area are among the policy statements in this law. This is to be accomplished by providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value [Sec. 205A-2(c)(1)(B)(iii), HRS].



Chapter 205A also establishes the concept of a special management area (SMA) as land extending inland from the shoreline and delineated on maps filed with the county and the state. The Legislature found that developments within an area along the shoreline needed special controls to avoid permanent loss of valuable resources and the foreclosure of management options, and to ensure adequate access by dedication or other means to public owned or used beaches, recreation areas, and natural reserves. The preservation, protection and where possible, the restoration of natural resources of Hawaii's coastal zone was declared as state policy.

SMA guidelines are set forth to govern the review of proposed developments in shoreline areas, making such developments subject to reasonable "County terms and conditions that will ensure adequate access, by dedication or other means to publicly owned or used beaches, recreation areas, and natural reserves is provided to the extent consistent with sound conservation principles . . . " [Sec. 205A-26 (1)(A), HRS]

The guidelines also set forth conditions for development approval and includes a requirement that it be consistent with the objectives, policies, SMA guidelines, the county general plan and zoning. In the process of reviewing proposed developments, the guidelines further mandate the counties to minimize, where reasonable: " . . . any development which would reduce the size of any beach or other area usable for public recreation . . . " [Sec. 205A-26 (2)(B) and (C); Sec. 205A-26 (3)(C), HRS].





## **C. COUNTY OF MAUI**

### **1. County Ordinances and Rules**

Key ordinances and rules and regulations at the county level have been developed relating to shoreline access. These actions implement statutory language designed for the active pursuit of shoreline access objectives at the appropriate local level. These relate to proposed subdivisions, special management areas, and shoreline setbacks.

#### **a. County Subdivision Ordinance**

The State's public access law (Sec. 46-6.5, HRS) mandates each county to adopt ordinances that will require developers and subdividers to dedicate rights-of-way or easements for pedestrian travel from public highways and streets to beach recreation areas. Maui's Subdivision ordinance, Title 18 of the Maui County Code, imposes such conditions and is administered by the County Department of Public Works.

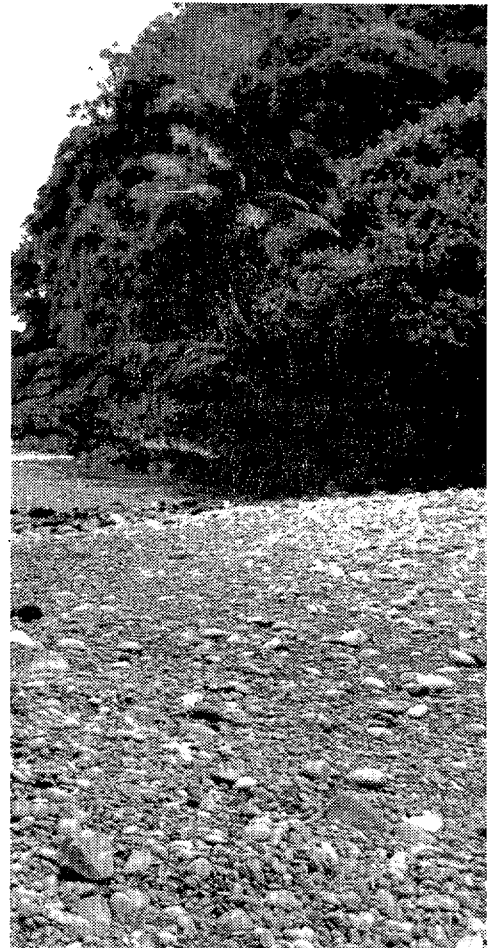
This Subdivision Ordinance addresses beach and other access rights-of-way where a subdivision fronts the shoreline or other public recreational areas. Rights-of-way to these areas are to be created at intervals of not greater than fifteen hundred (1,500) feet, dedicated for public use and have a minimum width of fifteen (15) feet. The subdivider and the County must agree to the location of such rights-of-way.

The ordinance allows consolidation of these rights-of-way to provide sufficient vehicular access, parking, development of shoreline or other recreational facilities or other public purposes. However, such modifications of standard rights-of-way are to take into consideration terrain features, length of frontage, uses of the parcel to be subdivided and other pertinent factors (Sec. 18.16.210)

Grading of the entire length of the rights-of-way to its full width and planted with grass or other suitable finish as determined by the county is a required improvement of subdivisions having beach or other rights-of-way (Sec. 18.20.110)

#### **b. County Special Management Area Rules and Regulations**

State policy in the State's Coastal Zone Management law (chapter 205A, HRS) makes proposed developments in shoreline areas subject to county terms and conditions to ensure adequate access, by dedication or other means, to publicly owned or used beaches and coastal recreation areas. The county of Maui has established special management area rules and regulations to serve as special controls on development within the areas along the shoreline and to insure that adequate public access is provided to beaches, recreational areas, and natural reserves.



These regulations are administered by the County Department of Planning and describe permit procedures, filing and application requirements, criteria for considering the significance of potential environmental and ecological effects, hearing and notice requirements, emergency permits, application amendments and penalties.

The regulations also include objectives, policies and guidelines relating to shoreline access within the special management area which parallel those enumerated in the State CZM Act.

One of the listed objectives is to provide coastal recreational opportunities accessible to the public (Sec. 2-8.1.a). This is further reflected in policies adopted which are to be used in the county's review of developments within the special management area. Policies relating to recreation include specific mention of adequate, accessible, and diverse recreational opportunities in the coastal zone management area by providing and managing adequate public access consistent with conservation of natural resources, to and along shorelines with recreational value.

Another policy requires reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits, and crediting such dedication against the requirements of section 46-6, HRS, [Sec. 2-8.2.a.(2)(c) and (g)].

Guidelines for reviewing developments proposed in the Special Management Area are also provided. All development in the SMA shall be subject to reasonable terms and conditions to insure that adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas, and natural reserves is provided to the extent consistent with sound conservation principles [Sec. 3.a(1)].

Further, no development is to be approved unless it is consistent with the objectives and policies as enumerated in Chapter 205A HRS and those contained in these rules and regulations, and the development is consistent with the county general plan, zoning, subdivision, and other applicable ordinances [Sec. 3.b(2) and (3)].

The county is also required to seek to minimize, where reasonable, any development which would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the Special Management Area and the mean high tide line where there is no beach [Sec. 3.c(3)].

#### c. Shoreline Setback Rules and Regulations

The State's shoreline setback law (Sec. 205-31, HRS) allows counties to establish setback lines at a distance greater than that established by the State. The purpose section of Maui County's Article III Shoreline Setback Rules and Regulations states:



“One of Maui’s most important natural resources is its shoreline. As the County grows and develops, increasing demands for utilization of the shoreline will occur. Therefore, it is imperative to protect the public’s right to utilize and enjoy the shoreline to the fullest extent possible . . .”

It further declares it to be in the public interest to establish shoreline setbacks, and to regulate the use and activities of land within the shoreline setback.

Building on the definition of “shoreline” set forth in the state shoreline setback law, the ordinance establishes shoreline setback as all the land area between the shoreline and the shoreline setback line. This line is defined to mean that line established by the State Land Use Commission, or by the County of Maui running inland from and parallel to the shoreline at a horizontal plane but no less than twenty feet (20) mauka of the shoreline.

Shoreline setbacks lines are established throughout the County of Maui at a distance of forty feet inland from the shoreline, except under certain conditions when it shall be twenty feet. These conditions address parcels less than 100 feet wide, less than one-half acre and less than the minimum under applicable zoning, or where the buildable area is reduced to less than fifty per cent of the parcel area after application of the county setback line and all other state and county requirements.

The rules and regulations mandate the location and platting of the county’s shoreline, and places all public and private construction in the shoreline setback subject to these rules.

Prohibited activities and facilities along the shoreline are listed, along with permitted facilities and conditions for approval.

## 2. County General Plan (June 1980)

The Maui General Plan, adopted as Ordinance No. 1052 on June 24, 1980, sets forth broad policies for the county’s long range development, including statements of the general, social, economic, environmental and design objectives to be achieved through government action—county, state or federal—for the general welfare and prosperity of the people of the county.

County policies relating to land use include a requirement of coastal land developers to provide both convenient access to beaches and convenient public parking. The establishment of a vigorous maintenance program of County-controlled beach rights-of-way is stated as part of the county’s recreation and culture objectives. It also states that the expansion and upgrading of Maui County’s beach access facilities are to be accelerated.



The implementation process of the County's General Plan includes the creation of a county-wide set of Community Plans which would incorporate relatively detailed guidelines for physical development in terms of land uses, public facilities and improvements, and urban design standards by specific county regions.

### 3. Community Plans

As required by the County General Plan, Community Plans were prepared for nine county regional areas. Planning standards and principles which guided the development of these community plans were based on General Plan Objectives and Policies. The purpose of the Community Plan is to provide a detailed scheme for implementing objectives and policies relative to the various regions of Maui County.

As a guide to decision making regarding development in a specific region, the plans contain the desired sequence, patterns and characteristics of future developments for the region as well as standards and principles to be followed as development occurs. Planned distribution and intensity of land uses and public facilities are addressed.

Of the nine Maui community plans, seven are reflected in this plan. Those for Kahoolawe and Makawao-Pukalani-Kula are not included, the latter being higher mountain elevations without coastal areas. Some background information on Kahoolawe is provided in view of its unique status as a coastal planning region.

Pertinent sections of each Community Plan relative to coastal and shoreline access are presented in the following sections. For further detail, the Community Plan itself and accompanying technical report should be consulted.



a. Wailuku-Kahului (draft 1981)

The boundaries of the Wailuku-Kahului region are the northern shoreline from Poelua Bay to Baldwin Park on the north, Kailua Gulch and Lowrie Ditch on the east, Spanish Road to Waikapu Road to Honoapiilani Highway to Pohakea Gulch on the south, and the Wailuku Judicial boundary on the west.

Physical aspects of the environment

- 1) Policy recommendations relating to physical environment include the preservation of sand dune formations throughout the planning region as topographic features that are a significant element of the natural setting.

Recreation and culture recommendations

- 1) Adequate public access to shoreline recreation resources by pursuing access ways identified by the County.
- 2) Expand shoreline recreation opportunities at Kanaha Beach Park by expanding park areas toward Kahului Harbor

Government action recommendations

- 1) Adopt a beach-mountain access dedication ordinance pursuant to Chapter 46, Hawaii Revised Statutes. This should be done as part of an island-wide comprehensive mountain and beach access study.

By adopting a beach-mountain access ordinance as allowed by Chapter 46, Hawaii Revised Statutes, the county will have the means to acquire public access to beach and mountain resources. This can occur either through eminent domain or at the time land is proposed for development. An islandwide beach and mountain access master plan will provide the framework for carrying out the provisions of such an ordinance.



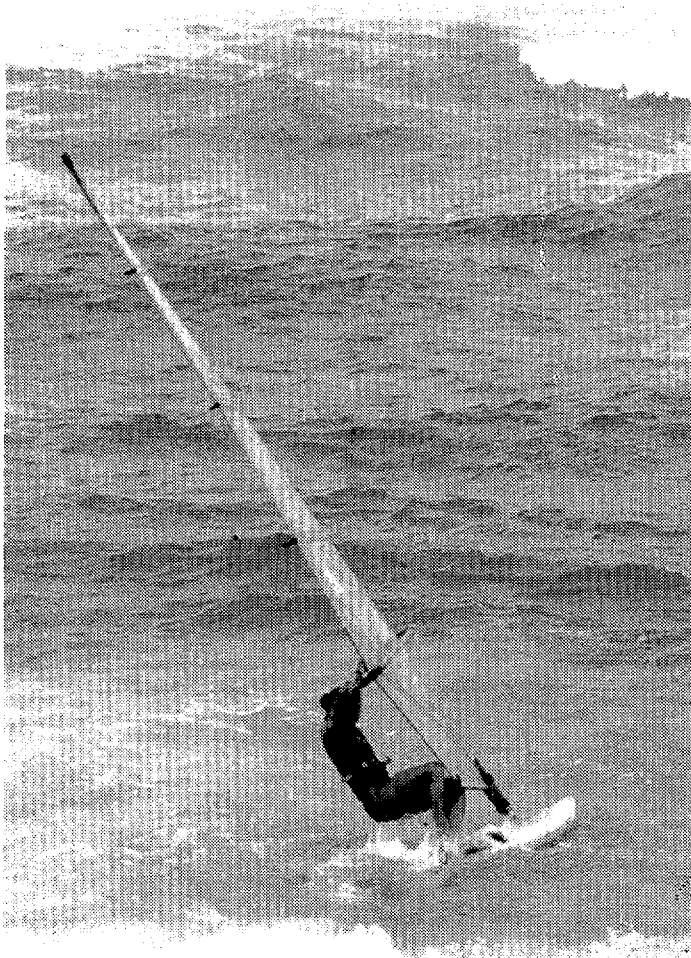


b. Paia-Haiku (1983)

The Paia-Haiku region covers approximately 17,300 acres and is located along the island of Maui's northern shore, east of Wailuku. The northern boundary is the shoreline of the Pacific Ocean from Kailua Gulch to Oopuela Stream; on the east, mauka along Oopuela and Waiakamoi Streams to a point near Hosmer's Grove Campground. The southern boundary runs makai across Kahakapo Gulch and west below Haliimaile Town to Kailua Gulch, and west along Kailua Gulch makai to the ocean shoreline.

Physical Environment recommendations call for the preservation of shoreline sand dune formations throughout the planning region as topographic features that are significant elements of the natural setting. Temporary marine sanctuaries at various points along the shoreline to regulate fishing activities are also included.

Recreation and Culture recommendations call for the adoption of a beach/mountain access dedication ordinance pursuant to Chapter 46, HRS, and acquisition through purchase, dedication or land exchange a public beach access at Kuiaha Bay. The establishment of coastal parks at Maliko Bay and Pauwela Point, and determination of a suitable location for a small boat ramp are also included.



c. Hana (1982)

The Hana region encompasses approximately 100,000 acres in the eastern portion of the island of Maui. The boundary of the region runs mauka from its northern shoreline along Oopuela and Waikamoi Streams, then along the boundaries of Haleakala National Park and the Kahikinui Forest Reserve and finally along Kamole Gulch to its outlet at the southern shoreline of the region.

Shoreline related recommendations relating to the physical aspects of the environment include the creation of a fisherman's advisory board to help protect fishing areas.

Recreation and culture policy recommendations include the development of a beach and mountain access plan that provides unimproved foot trails for public access to beach and mountain areas. Potential beach access points are at:

- Wailua Bay at Keanae
- Honomale to Kalahu Point
- Ulaino
- Keakulikuli Point by Hana Airport
- Waipauma Point
- Leleola Beach
- Makaalae Point
- Puuiki side of Waioka
- Kakiu At Muolea Point
- Maulili Bay
- Waiu Bay
- Kahailulu Beach



d. Kihei-Makena (1985)

The Kihei-Makena region extends along the western shoreline of east Maui at the foot of Haleakala. The entire southern boundary is shoreline. The region is comprised of four communities: Maalaea, Kihei, Wailea and Makena.

The importance of the shoreline and nearshore waters for recreational and scenic value was stressed in this plan, with attention to undeveloped public shorelines that should be developed and maintained for public use and a requirement of beach front development to provide for public use through adequate access and setback provisions.

The shoreline environment was recognized as the region's greatest asset needing better resource management and control. Improved beach access and other supporting facilities at the shoreline were recommended accordingly.

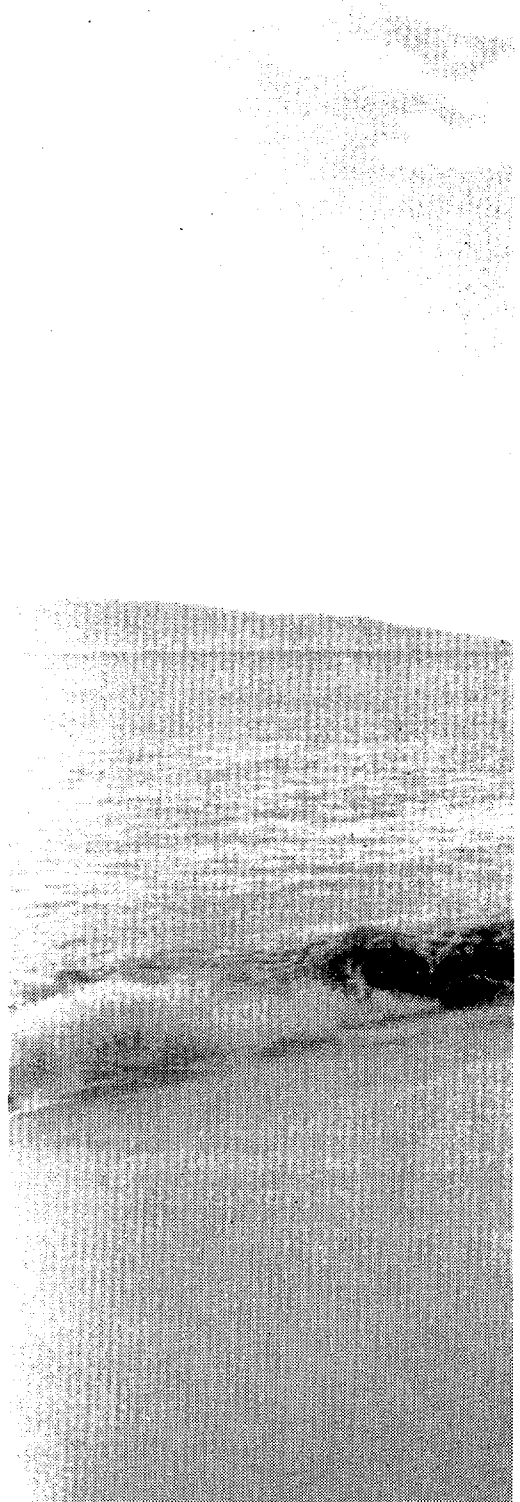
Recommendations relating to shoreline access include:

Physical Aspects of the Environment

- 1) maintain the long-term viability of shoreline resources for public enjoyment through adequate access, space, and facility provisions, and through on-going resource management programs;
- 2) planning for shoreline development, public setbacks, and public access should consider the cyclic nature of sand beaches; design should respond to periodic expansions and shrinkages of beach depth;
- 3) protect the quality of nearshore waters through application of water quality standards to land based discharges, and preserve the shoreline sand dune formations throughout the planning region.

Recreation and Culture Recommendations

- 1) Develop and implement a plan for public access to the shoreline which includes both existing and future accessways, based on the location of significant shoreline resources.
- 2) Provide adequate landscaped public access to shoreline areas having significant recreational and scenic value along with adequate lateral public access along the shoreline to connect significant shoreline areas and to establish continuity of the public shoreline areas. Particular attention should be directed toward southern shoreline resources from Polo Beach southwards;



- 3) Develop accessways consistent with the characteristics of resources to be reached with adequate public parking for cars placed at the mauka end of accessways. Vehicular drop-off points and turn-around areas should be provided adjacent to beach or beach park areas. Vehicular traffic should be confined to assigned areas to avoid erosion, damage to dunes, strand vegetation, or other damaging effects to shoreline resources. Where scale of development and public accessways warrant, public sanitation and recreational amenities should be integrated with planning and design;

Government action recommendations

- 1) Adoption of a beach/mountain access dedication ordinance to assist in establishing public mauka and makai accessways in conjunction with an overall public beach and mountain access master plan to serve as the framework for decision making.



e. Lahaina (1983)

The Lahaina Community Plan covers the entire Lahaina-Judicial District located on the western slopes and coastal plain of west Maui. Its common boundary with the Wailuku Judicial district begins at the southern shore of West Maui, about 2 miles west of Papawai Point. Beginning at this point, the Lahaina region boundary travels mauka along the centerline of the Manawainui Gulch to the ridge-line of the West Maui Mountains. The boundary then continues in a northerly direction to Eke Crater then due North along Poelua Gulch to the northern shoreline of West Maui.

Shoreline related recommendations include the following:

Physical aspects of the environment

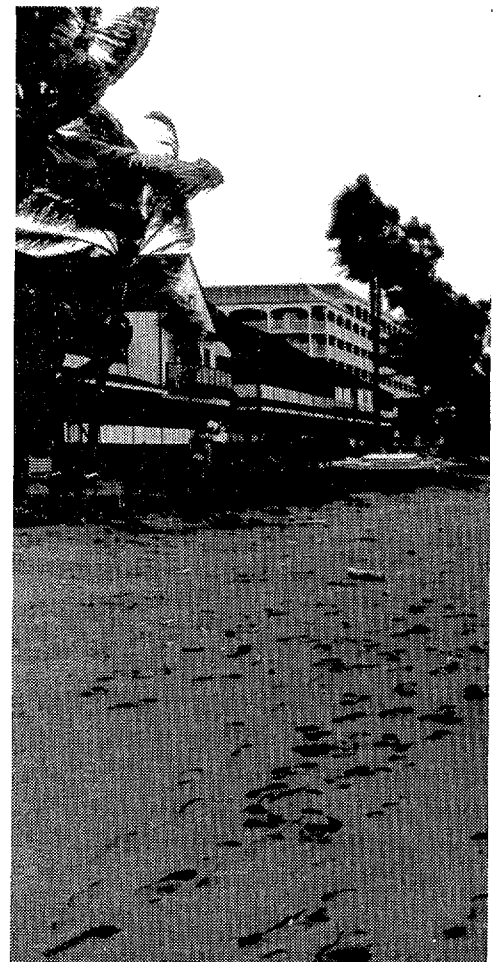
- 1) protect the quality of nearshore waters through the monitoring of outfall systems to insure that waste disposal discharges meet water quality standards;
- 2) preserve the shoreline and nearshore environments throughout the planning region as significant natural elements which should be protected from any adverse development actions;
- 3) preserve the shoreline sand dune formations throughout the planning region, as these topographic features are a significant element of the natural setting and should be protected from any actions which would detract from their scenic value.

Land use recommendations:

- 1) Establishment and maintenance of a major shoreline-oriented park at Mala Wharf along both sides of Kahoma Stream, continuing northward along the waterfront to the existing culvert;
- 2) A major new community-oriented park along the south bank of Kahoma Stream and mauka of Front Street to serve the multi-family community to be established there;
- 3) Emphasize the public value of the region's southern shoreline areas by maintaining the shoreline makai of Honoapiilani Highway including lands from Puamana southward toward the Pali with the exception of the makai lands at Olowalu, in public open space and park usage for recreational and scenic purposes, and prohibit other uses in this area.

Recreation and culture recommendations:

- 1) Provide resource-oriented regional park facilities and public access along the shoreline for picnicking, camping, informal play, swimming, sunbathing, and other coastal-related activities;
- 2) Designate public camping areas along the shoreline from Olowalu to the Pali;





- 3) Ensure adequate public access to shoreline areas with recreational value, including lateral access to establish the continuity of public shorelines.

Government action recommendations:

- 1) Adoption of a beach-mountain access dedication ordinance pursuant to Chapter 46, HRS. This would provide the County with the means to acquire public access to beach and mountain resources. This can occur either through eminent domain or at the time land is proposed for development. An islandwide comprehensive beach and mountain access study and master plan is also recommended to provide the framework for carrying out the provisions of such ordinance.



f. Lanai (1983)

The island of Lanai, formed by a single volcano, covers a land area of about 90,000 acres and almost all of the island's residents live in Lanai City which is situated on the central plateau just below Lanai-hale, the volcanic peak.

Environmental recommendations concern maintaining Marine Life Conservation District at Manele and Hulopoe Bays, allowing shoreline protection to enhance the availability of the resources and associated wildlife for recreation and study.



g. Molokai (1984)

The island of Molokai is comprised of approximately 165,000 acres embracing widely varying topographic and climatic regimes. The peninsula of Kalaupapa and some of the surrounding area on the northern coast constitute tax map key zone 6, the County of Kalawao, which is administered by the State of Hawaii's Department of Health.

Recommendations include:

Physical Aspects of the Environment

The preservation of shoreline dune formations throughout the planning region as topographic features that are significant elements of the natural setting.

Recreation and Culture Recommendations

- 1) The adoption of a beach/mountain access dedication ordinance pursuant to Chapter 46, HRS;
- 2) Acquire or improve public beach access at the following general locations, including proposed foot trails:  
“ . . . Moomomi, Ilio Point, Kawakiu Beach, point(s) between Hale o Lono Harbor to Papohaku, Halena Camp, Kamalo Wharf [proposed vehicular access point], Ualapue Day Park, Manawai, Pukoo Beach Day Park, and point(s) between Papohaku Beach to Palaaui via Waikane-Punakoo . . . ”.
- 3) Conduct a site location study for flat-bottom type boat launching areas in the East End and a concrete boat ramp for deep “V” vessels east of Moanui.

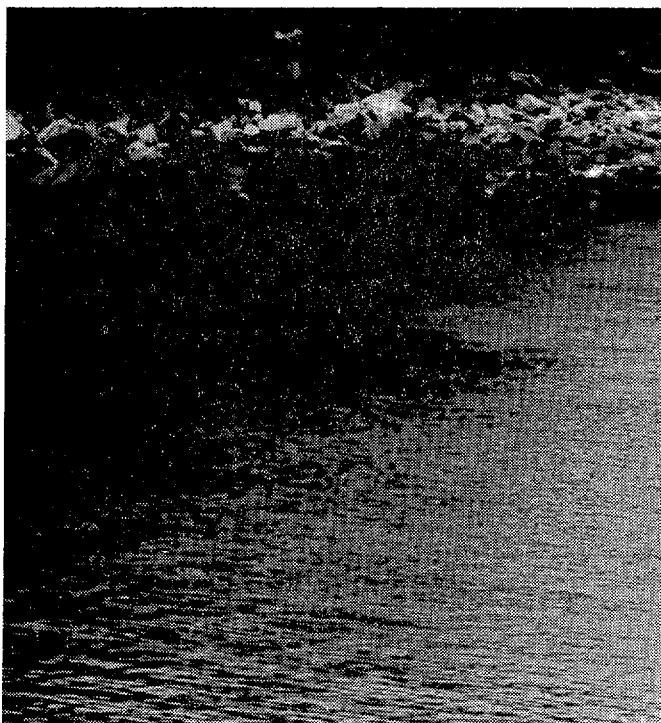


h. Kahoolawe (1982)

Kahoolawe is the smallest of the eight main islands of the State of Hawaii and is approximately 11 miles long and six miles wide, 45 square miles or 28,000 acres in area. Moaula, the highest point on the island, rises 1,477 feet above sea level and is found near a volcanic crater on the eastern end of other island. The southern and eastern shores of Kahoolawe rise dramatically from the sea, forming steep sea cliffs, while northern and western shores slope back gradually from the ocean. Most of the shore is rocky, except for a few small sandy beaches, especially on the western side of the island.

The island is under the jurisdiction of the U.S. Navy and used for target practice. In 1984, four years after the Protect Kahoolawe Ohana filed suit against the U.S. Navy and three years after they sought an injunction to stop the bombing of Kahoolawe, the Ohana and the Navy agreed to a Consent Decree. Some of the conditions of the Consent Decree relating to shoreline access from off island includes setting aside at least ten (10) consecutive days for 10 months each for non-military purposes and for the Ohana's access to the island and to allow access to government agencies conducting studies of the island.

Technically, a different kind of beach access characterizes Kahoolawe which does not diminish the importance of access to the island. Emphasis at the present time, however, focuses on activities such as erosion control, tree planting, restoration of archaeological sites, revegetation, and the conduct of religious, cultural, scientific and educational activities.



## D. OTHER LEGAL ASPECTS OF COASTAL ACCESS

While there exists a large body of public policy regarding shoreline access programs and requirements, these are directed at new or proposed development of private or public land. The permitting process enables the assurance of beach access as part of any proposed change or development in the County Special Management Area. However, a number of relevant issues arise where disputes occur regarding acquisition and use of accessways over privately owned land that derive from custom and use, or predate codification. Some of these issues are described herein.

Questions over public entitlement to particular rights-of-way over privately owned land usually require court action. The State or County could attempt to acquire rights-of-way through condemnation proceedings. However, such action results in large public expenditures for compensation to private land owners. On the other hand, the State, the county, and private parties representing the public in a class action may bring law suits to recover public coastal accesses.

Public access issues usually invoke several legal theories relating to easements and rights-of-way. Some of the more commonly known issues and relevant case law is described below. The substance of this discussion is derived from *Public Access To The Shoreline: Legal Aspects*, County of Hawaii Planning Department, 1982.

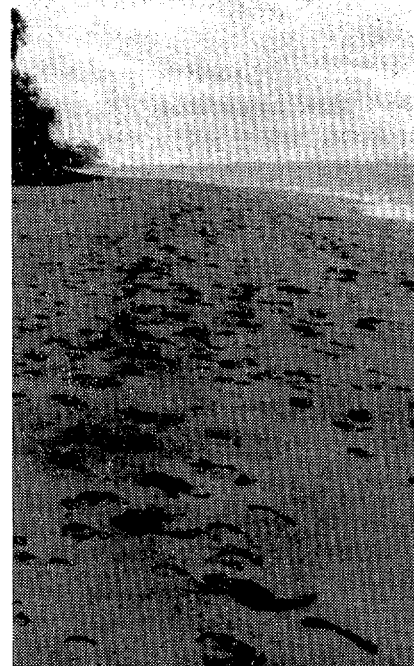
### 1. Ancient Custom Doctrine.

Hawaii's land use laws are unique in that they are based on ancient (Hawaiian) tradition, custom, practice and usage [Application of Ashford, 50 Hawaii 314, 315, 440 p. 2d 76, 77 (1968)]. Ancient "Hawaiian usage" is considered to mean usage existing prior to the incorporation of the English common law in Hawaii in 1892 [Id. at 425, 479 p. 2d at 204].

The substantive aspects of the ancient custom doctrine permits the court to find Hawaiian property rights which are outside the common law. The idea of "reasonable necessity" is also cited in rights-of-way disputes. In a 1969 case, *Palama v. Sheehan*, the court admitted testimony by longtime residents on the location of trails used by their parents and grandparents. [50 Hawaii 298, 301, 440 p. 2d. 95, 97 (1968)] The Court held that the defendants, kuleana holders, were entitled to a right-of-way over the plaintiffs' land based on two theories: 1) ancient Hawaiian custom and 2) reasonable necessity.

### 2. Common Law Custom.

Common law custom is based on ancient English custom recognizing land rights before a system for recording land rights had been devised [See *Post v. Pear-sall*, 22 Wend. 425, 440-41. (N.Y. Ct. Err. 1839); *Public Access to Beaches: Common Law Doctrines and Constitutional Challenges*, 49 N.Y.U.L. REV. 469, 375 (1973)]. It is based on the belief that a usage which had endured



for centuries must have been founded on a legal right conferred in the distant past [Id.] and so should be recognized even though never formally recorded.

In *State ex rel. Thornton v. Hay*, [254 Ore. 584, 462 p. 2d at 671 (1969)] the Oregon Supreme Court found that the public was entitled to recreational rights in the beach without regard to the title of record held by private landowners. The court held that a public use was sufficiently immemorial if it could be traced back to the dawn of an area's political history, even if that were only a century ago. In Hawaii, this would mean extending the custom back to the organization of the government in 1846 rather than 1892 to establish ancient Hawaiian custom.

In one of Hawaii's seaward boundary cases, *County of Hawaii v. Sotomura* the Hawaii Supreme Court favorably cited the customary right doctrine employed in Thornton. While the Ashford decision was a judicial recognition of the longstanding public use of Hawaii's beaches to an easily recognizable boundary, in citing the Thornton case the Court interpreted public policy as favoring extending as much of Hawaii's shoreline as is reasonably possible to public use and ownership [County of Hawaii v. Sotomura, 55 Haw. 176, 181-182 (1973)].

### 3. Easement by Prescription.

Prescription is a common-law theory dependent upon statute and is a mode for acquiring title to incorporeal hereditaments, such as easements and rights-of-way by long continued use and enjoyment. [2 Thompson, Real Property 140-141, Sec. 335, Sec. 337 at 158. (1980); Town & Yuen, *Public Access to Beaches: A Social Necessity*, 10 HAWAII B.J. (1973) at 18]

In general, the requirement for prescription are identical to those of adverse possession, though the two theories differ from one another. Adverse possession is a corporeal, i.e. tangible and material, interest in land based on possession which results in a change of title. A prescriptive interest is an incorporeal interest, non tangible and non material, acquired by the manner of use.

The prescriptive period in Hawaii, as set by law in 1973 is twenty years [HRS sec. 657-31]. In *Tagami v. Meyer* [41 Hawaii 484 (1956)] the Court followed the general rule [see 2 Thompson, Real Property 189-200, Sec. 340 (1980)] in setting out the elements for establishing an easement by prescription and stated that the use and enjoyment must be adverse, under a claim of right, continuous and uninterrupted, open, notorious and exclusive, and with the knowledge and the acquiescence of the owner of the servient tenement and must continue for the full prescriptive period (*Tagami v. Meyer*, 41 Hawaii, 484, 487-488 (1956)).



Use is considered "open and notorious" if the real owners have actual knowledge or a reasonable opportunity to learn of its existence [2 Thompson, Real Property at 193-194, Sec. 340; Town and Yuen at 20]. To be "open" the use must be without attempted concealment by the users. "Continuous and uninterrupted" means use not interrupted by the acts of the owner of the servient estate and no voluntary abandonment by the person(s) claiming the easement.

Since most easements on public land can be obtained by dedication, real or implied, a question of "standing" arises over whether the general public can acquire a right of passage by prescription [2 Thompson, Real Property 207-214, Sec. 342 (1980)] Under the lost grant theory a grant presupposes a definite and certain grantee and the public is thought to be too indefinite a group to be a grantee (Id). Most courts, however, do apply the doctrine of prescription to public roads based either on common law or statute (Id).

In Hawaii, the statutes governing public roads deal with dedication or surrender by the owner rather than with prescription (HRS 264-1). The issue as to whether public rights to easements can be acquired by prescription has not yet come before the Hawaii Supreme Court. (In 1977, the Ninth Circuit court of Appeals affirmed the decision of the District court in *Jones v. Halekulani Hotel* that the state of Hawaii had acquired an easement by prescription over the top of the seawall and thus had the sole duty to maintain the seawall. In that case, a private citizen sued the Hotel for breach of duty after he dove off a seawall on the property into shallow ocean water thereby fracturing his neck.)





## CHAPTER III INVENTORY OF EXISTING ACCESSWAYS

An inventory of some of the existing and potential shoreline accesses has been gathered by the County over the years. Much of the data is contained in reports, maps, and documents developed for shoreline related projects and/or governmental studies. Additional information was gained by on-site inspection and through public interaction.

The effort reflected in this Plan, however, represents the first time that the previously-developed and new data have been compiled into one easily, accessible system. The system is computerized, making efficient entry and retrieval of the new information and data possible and with a higher probability of accuracy.

To identify these sites, records and maps at the County were reviewed. Furthermore, public informational meetings were held to secure additional public thoughts on the location of the existing and proposed accessways.

Almost all of the data included in this section were verified by on-site or "field" assessments. Unfortunately, to meet publication deadline, some sites were not verified on the field. They have been included to reflect, even with only partial information, as many known accesses as possible in this inventory.

This list be continually updated and unreported accesses should be included. The use of the prepared computerized database will help simplify this ongoing process.

### A. FIELD SHEETS

A *Coastal Right-of Way Inventory Checklist* was used to identify the characteristics of all known coastal accesses in the inventory (Appendix A). This checklist was developed together with the County. The intent behind this checklist was to assure a consistent review of all accesses.

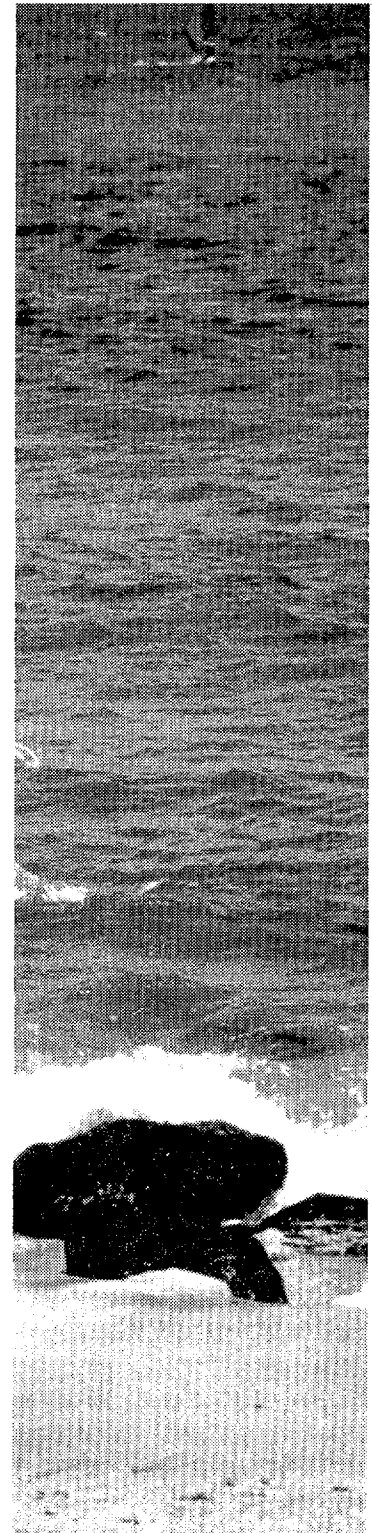
Information entered on the checklist included tax map key identification; general locational and user information; specific accessway conditions particularly number and visibility of signs; the types and widths of the access; parking availability; facilities at the site,; and other general observations (landmarks, hazards, etc.).

Field surveys were undertaken for each access identified in the document search and actual photographs were also taken. The photographic record should complement the data base records, as well as provide a means of evaluating any changes to the coastline.

### B. COMPUTERIZED DATABASE

Information from the checklist has been entered on to a computerized database program. Some modification and condensing of information were necessary to establish a user efficient database without repetitive or cumbersome information.

The database may be easily expanded or cross-referenced to allow additional data input or updating. It will also allow easy access to the inventory by staff personnel for quick retrieval of various types of shoreline access information.



### **C. UPDATING**

This database should be updated on a systematic and timely basis to keep the data current. Since more than one agency serves as a collection point for shoreline access information, the responsibility for database updating and input should be placed with a single agency or a designated section within an agency for input control and data consistency.

Periodic field inspections by the designated agency or maintenance agencies such as the Department of Public Works or Department of Parks and Recreation should be conducted. Any changes to existing accessway conditions should be entered on a field worksheet and the database modified accordingly.

### **D. INVENTORY SUMMARY**

The following public shoreline access database contains 203 records categorized by tax map key, island, planning region, ownership, and other locational criteria. Access data, shoreline characteristics, and a facility inventory are also part of the database.

While most of the database has been verified in the field, approximately 40 additional records have not been field surveyed. As such, accurate summaries involving access dimensions, number of parking stalls, and the availability of support facilities cannot be determined until the database is updated in the future.

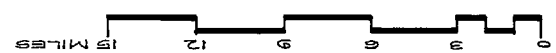
Of the 203 recorded accesses, 20% are privately-owned or controlled. Nine of these are located on Maui, three on Molokai, and seven on Lanai.

Approximately 31% of the accesses are improved with asphalt or other type of pavement, although 40% of all accesses are without any type of facilities (restrooms, water, picnic tables, etc.). Many accesses are merely roadway lots which do not have appropriate off-street parking. Very few accesses have adequate signage, except those which are located within resort complexes.

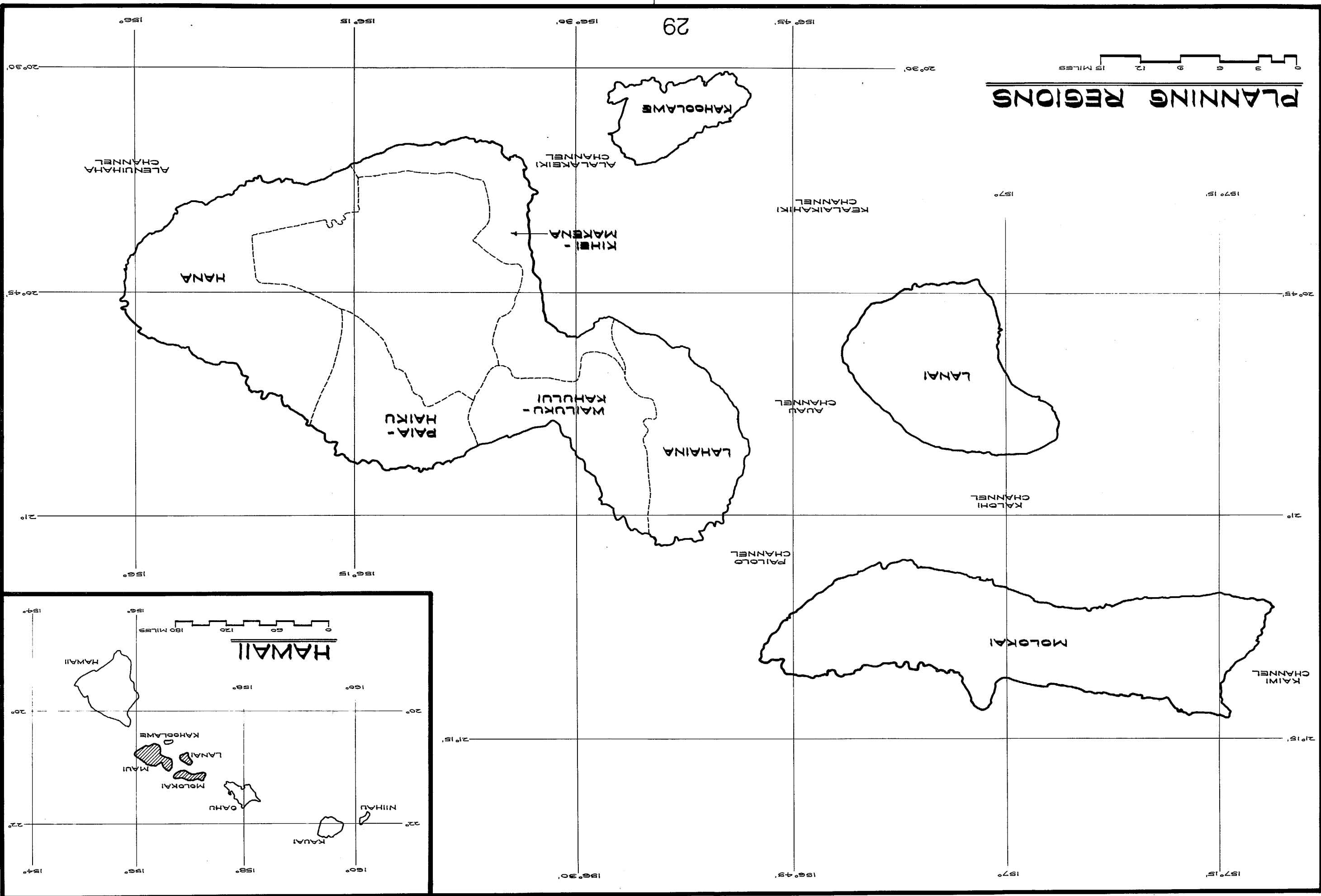
### **E. INVENTORY DATA**

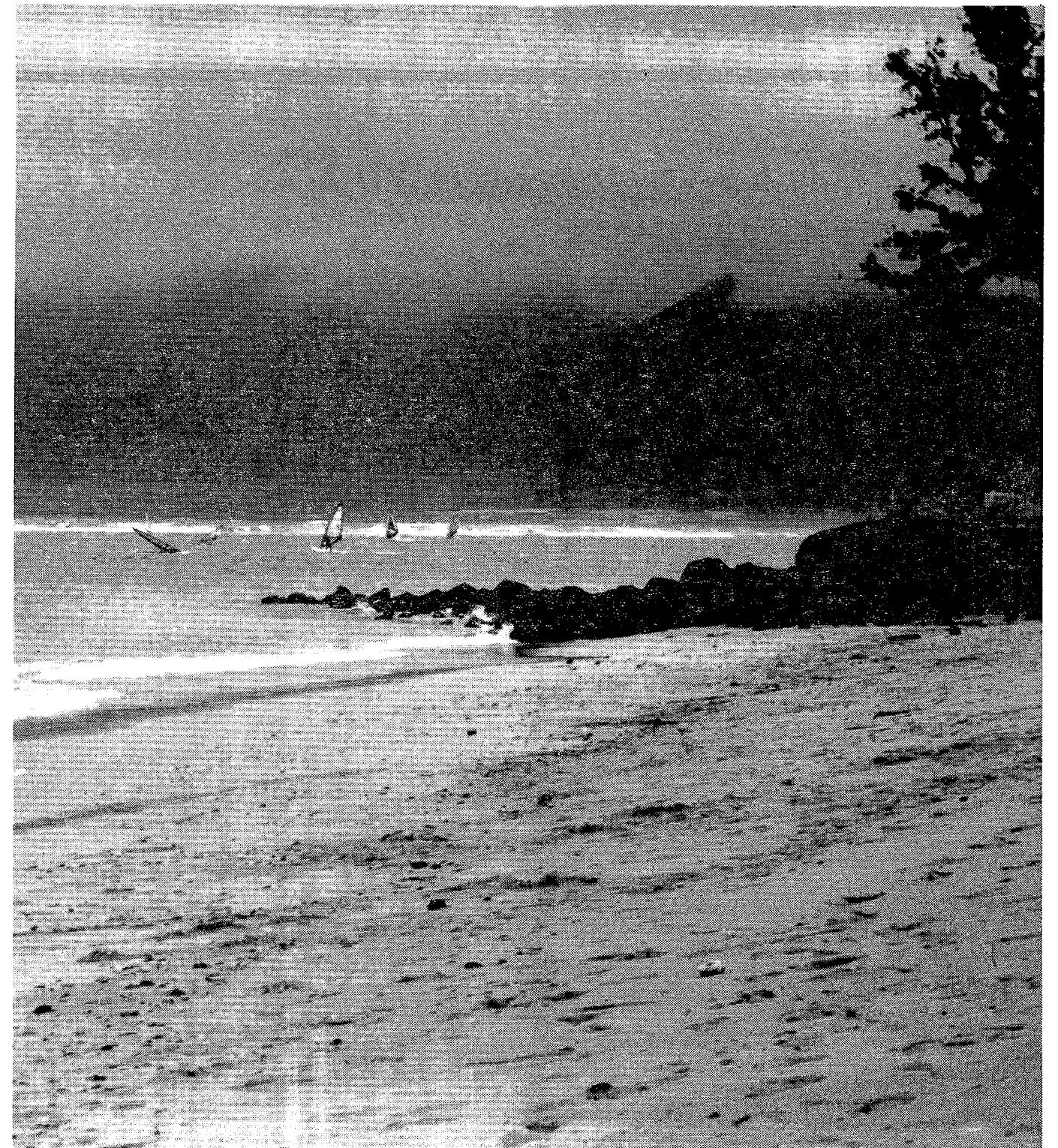


PLANNING REGIONS



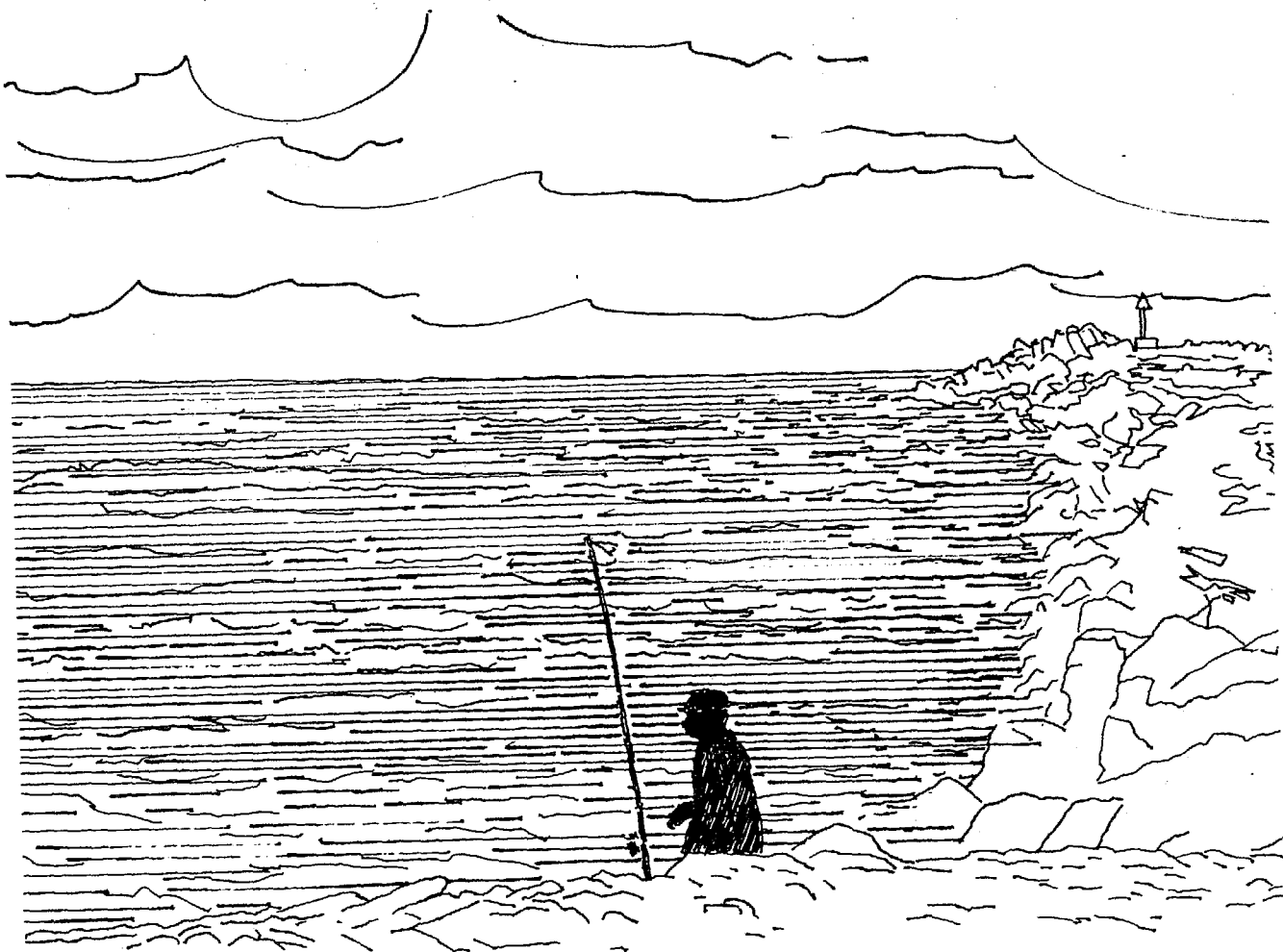
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## WAILUKU - KAHULUI

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TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
4-1-001:009	Maui	Owaluhi Gulch	W-K MauiLand&Pine	0	vertical	U	dirt	10	grass	0	rocky	-	-	-	-	-	-	-	01
3-1-003:005	Maui	Honanana Stream	W-K State	0	vertical	U	dirt	10	grass	0	rocky	-	-	-	-	-	-	-	02
3-1-002:016	Maui	Awalau Gulch	W-K State	0	vertical	U	dirt	10	grass	varies	rocky	-	-	-	-	-	-	-	03
3-1-004:006	Maui	Kahakuloa	W-K State	0	vertical	U	gravel	10	none	0	rocky	-	-	-	-	-	-	-	04 Proposed park
3-2-002:001	Maui	Waihee Stream	W-K WailukuSugarCo.	0	vertical	U	dirt;AWD	10	dirt	0	rocky	-	-	-	-	-	-	-	05 Partially obstructed w/ boulders
3-2-010:001	Maui	Waihee Farm	W-K WailukuSugarCo.	0	vertical	I	pave	18	off rd	20	rocky	-	-	+	-	-	-	-	06 Off Halewalu Pl;no camping;diving and s
3-2-013:006	Maui	Waihee Beach Park	W-K State	1	vertical	I	pavement	12	pavement	40	sandy	+	-	+	+	+	-	-	07
3-2-013:019	Maui	Waiehu Beach Park	W-K Cty	0	open	I	pavement	18	pave/gravl	25	sandy	+	+	+	+	+	-	-	08 Adjacent to Waiehu Golf Course
3-2-013:025	Maui	Waiehu Beach Park	W-K Cty	1	open	I	paved	18	paved	50	sand/rock	+	-	+	+	+	-	-	08 Surfing;poor maintenance
3-3-001:051	Maui	Waiehu	W-K Robert Such	0	drain esmt	U	dirt	12	off rd	10	sand/rock	-	-	-	-	-	-	-	09
3-4-028	Maui	Kailana St	W-K County		vertical	I	pavement		off road	varies	sand/rock	-	-	-	-	-	-	-	10
3-4-028	Maui	Kaikoo St	W-K County		vertical	I	pavement		off road	varies	sand/rock	-	-	-	-	-	-	-	11
3-4-028	Maui	Linekona Pl	W-K County		vertical	I	pavement		off road	varies	sand/rock	-	-	-	-	-	-	-	12
3-4-027	Maui	Kainalu Pl	W-K County		vertical	I	pavement		off road	varies	sand/rock	-	-	-	-	-	-	-	13
3-4-027:036	Maui	Eluene Pl.	W-K County-Esmt		vertical	I	pavement		off road	varies	sand/rock	-	-	-	-	-	-	-	14
3-4-027:026	Maui	Beach Road	W-K Cty	0	vertical	U	paved	12	gravel	20	rocky	-	-	-	-	-	-	-	15 Proposed North Kahului Harbor Park
3-7-001:21	Maui	Kahului Harbor Park	W-K Cty	0	open	U	gravel	open	gravel	500	rocky	-	-	-	-	-	-	-	16 Small boat landing; harbor breakwater
3-7-008:017	Maui	Kahului-Hoaloha Park	W-K A&B	1	open	I	paved	18	paved	60	sand	+	-	+	+	+	-	-	17
3-7-008	Maui	Puunene Ave	W-K State	0	open	U	paved	18	unimpvd	50	sand	-	-	-	-	-	-	-	18 Canoe paddling; boat/canoe sheds;litte
3-8-001:119	Maui	Kanaha Beach Park	W-K State	2	open	I	pave	20	pave	100	sand	+	+	+	+	+	+	-	19 Major beach park; windsurfing
3-8-001:019	Maui	Kahului-Kahana	W-K State	0	vert/lat	U	dirt/sand	16	gravel	50	sand	-	-	-	-	-	-	-	20 Access through Kahana Beach Park;windsu
3-8-002:054	Maui	Sprecklesville	W-K State	0	vertical	U	dirt/gravel	8-10	dirt	25	sand	-	-	-	-	-	-	-	21
3-8-002:034	Maui	Lauiea Pl	W-K A&B	0	vertical	I/U	paved/gravl	10	gravel	40	rock	-	-	-	-	-	-	-	22 Windsurfing;private property sign;no ca
3-8-002:001	Maui	Sprecklesville	W-K Cty	1	vertical	U	dirt	10	dir	6-10	sand	-	-	-	-	-	-	-	23 Esmt off Nonohe St.
3-8-001:199	Maui	Kealakai Pl	W-K County	0	open	I	paved	14	off rd	50	sand	-	-	-	-	-	-	-	24 (Baby Beach)

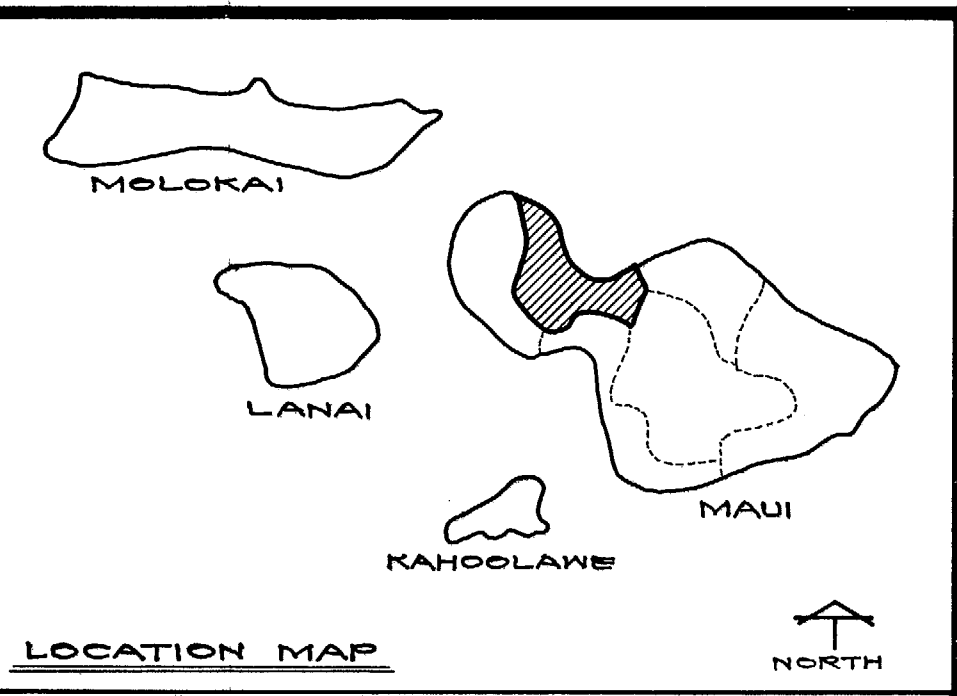
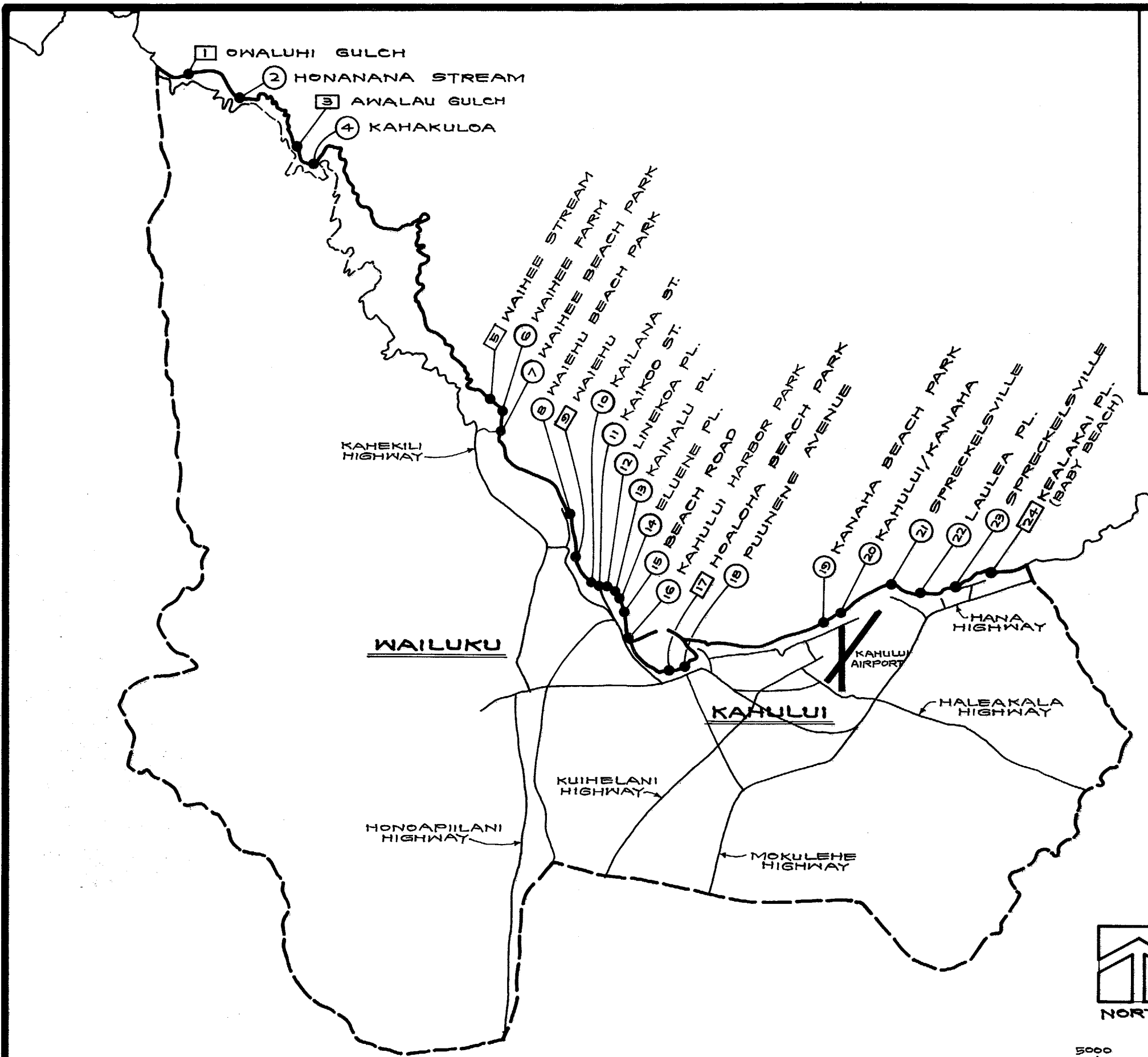
TOTAL

Printed 25 of the 205 records.

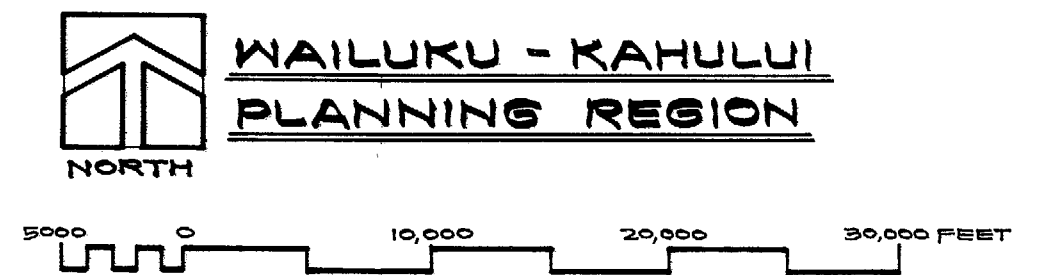
TOTAL

Printed 25 of the 205 records.





- LEGEND:**
- ② PUBLIC ACCESS
  - ③ PRIVATE ACCESS

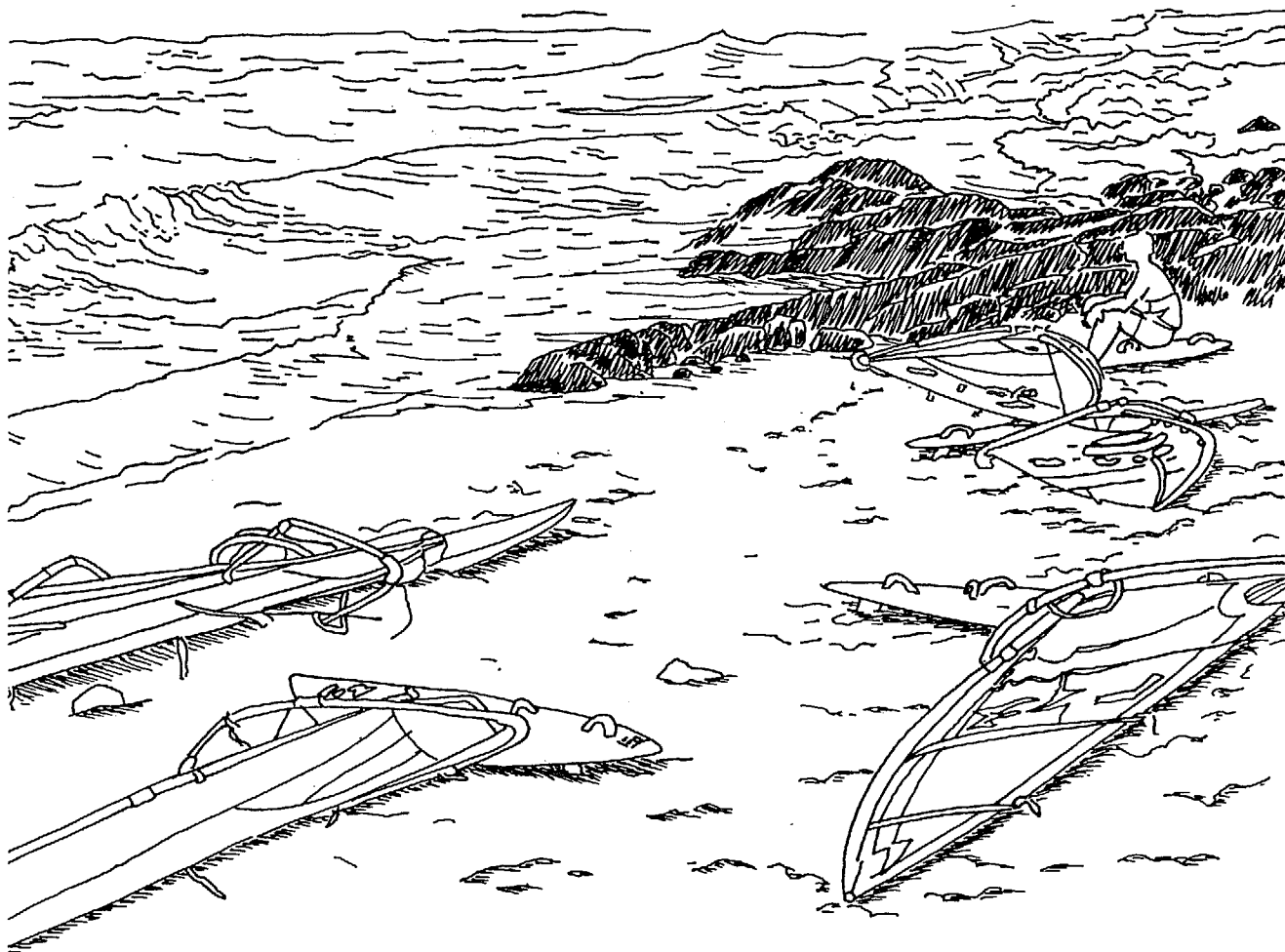






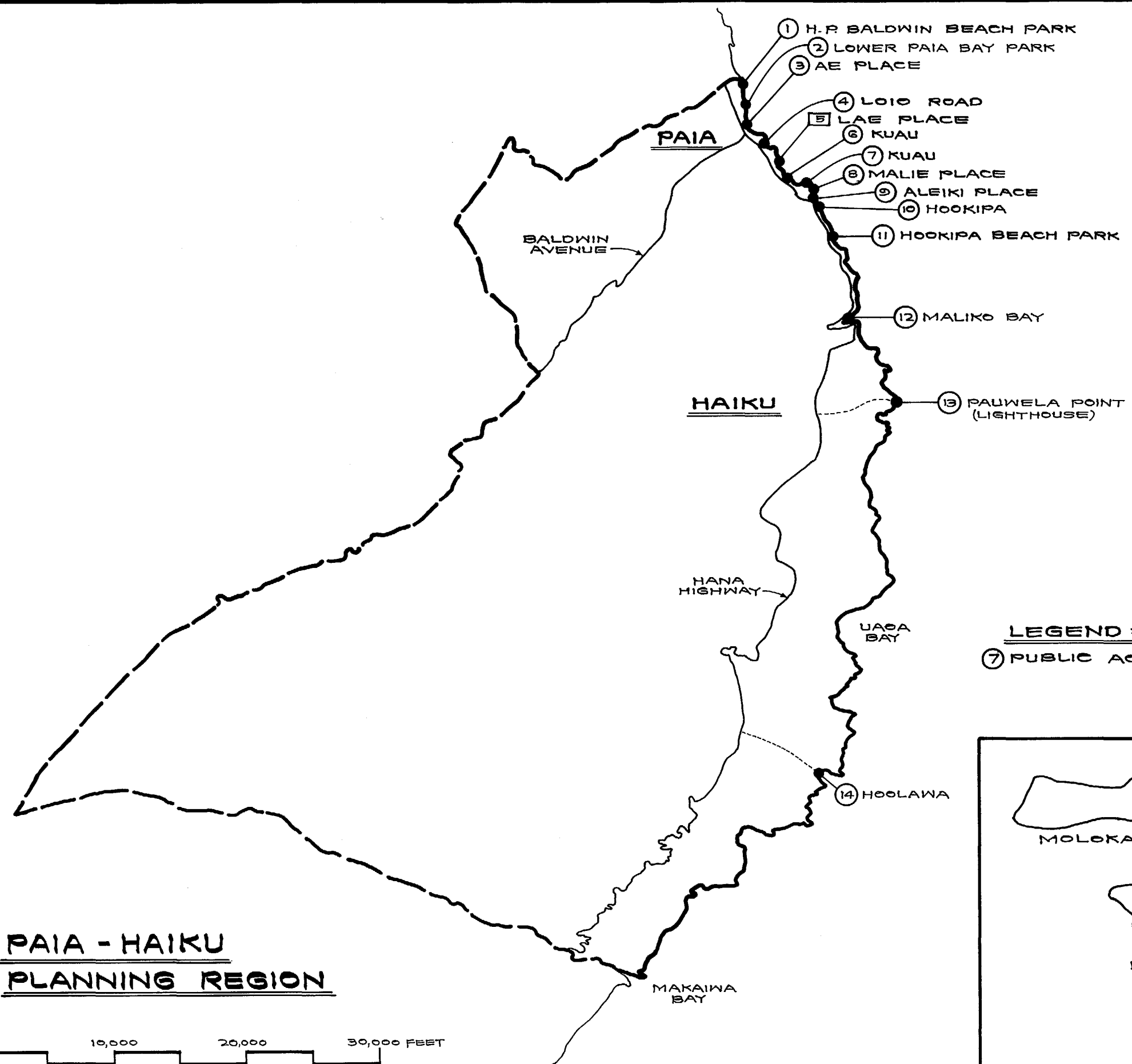
## HAIKU - PAIA

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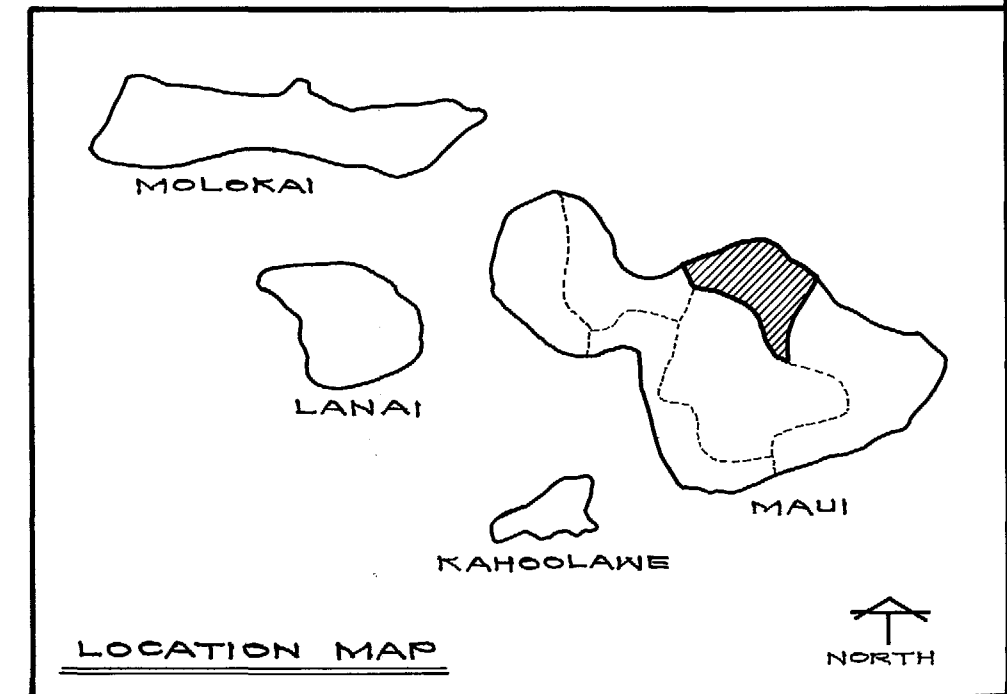
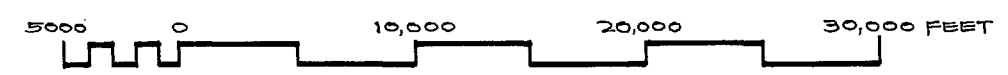
01-01-1980		Paia-Haiku		Page 1		01-01-1980													
TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
2-5-005:046	Maui	Paia-H.P.BaldwinPark	P-H Cty lease A&B	1	open	I	paved	16	unimpvd	100	sand	+	+	+	+	+	+	+	01 BBQ;soccer field;camping
2-6-002:015	Maui	Lower Paia Bay Park	P-H Cty	0	open	U	pavement	open	off rd	15	sand	+	-	+	-	+	-	-	02 Access to park blocked by fence
2-6-002	Maui	Ae Place	P-H Cty	0	vertical	U	dirt/gravel	3	none	0	sand	-	-	-	-	-	-	-	03
2-6-004	Maui	Loio Rd	P-H Cty	0	vertical	U	gravel	8	off rd	8-10	sand	-	-	-	-	-	-	-	04 Near cemetary
2-6-008:010	Maui	Lae Pl	P-H Virginia Kaiama	0	vertical	U	dirt	10	off rd	6	sand	-	-	-	-	-	-	-	05 Near cemetary
2-6-010:028	Maui	Kuau	P-H John Davids	0	vertical	U	dirt	4	off rd	4-6	sandy	-	-	-	-	-	-	-	06 Across Kuau Pump Station #2
2-6-009:002	Maui	Kuau	P-H A&B	0	open	U	dirt	open	gravel	40-50	sand/rock	-	-	-	-	-	-	-	07 Kuau Pump Station #3
2-6-011	Maui	Malie Pl	P-H State	1	vertical	U	dirt	5	off road	0	sand	-	-	-	-	-	-	-	08
2-6-012	Maui	Aleiki Pl 1	P-H Cty	0	vertical	I/U	paved/dirt	12/3	dirt	varies	rock/sand	-	-	-	-	-	-	-	09
2-6-012	Maui	Aleiki Pl 2	P-H Cty	0	vertical	I	pave/dirt	14	off road	varies	sand/rock	-	-	-	-	-	-	-	09
2-5-004:024	Maui	Hookipa	P-H Cty	0	open	U	gravel	open	gravel	50	rock/sand	-	-	-	-	-	-	-	10 Windsurfing
2-5-004:025	Maui	Hookipa Beach Park	P-H Cty	1	vertical	I	paved	15	off rd	50	sand	+	+	+	+	+	-	-	11 Major windsurfing/surfing site;pavilion
2-7-004:007	Maui	Maliko Bay	P-H A&B	0	vertical	U	dirt		off road	varies	rocky	-	-	-	-	-	-	-	12 Boat ramp
2-7-004:009	Maui	Pauwela Lighthouse	P-H Federal	0	vertical	U	dirt	10-12	off road	8	cliff	-	-	-	-	-	-	-	13 Lighthouse;entrance makai of Pauwela Co
2-9-004:021	Maui	Hoolawa Bay	P-H State	0	vertical	U	dirt/gravel	8-10	none		rocky	-	-	-	-	-	-	-	14 Unaccessible;gate across road over priv
TOTAL										TOTAL									
Printed 15 of the 205 records.																			

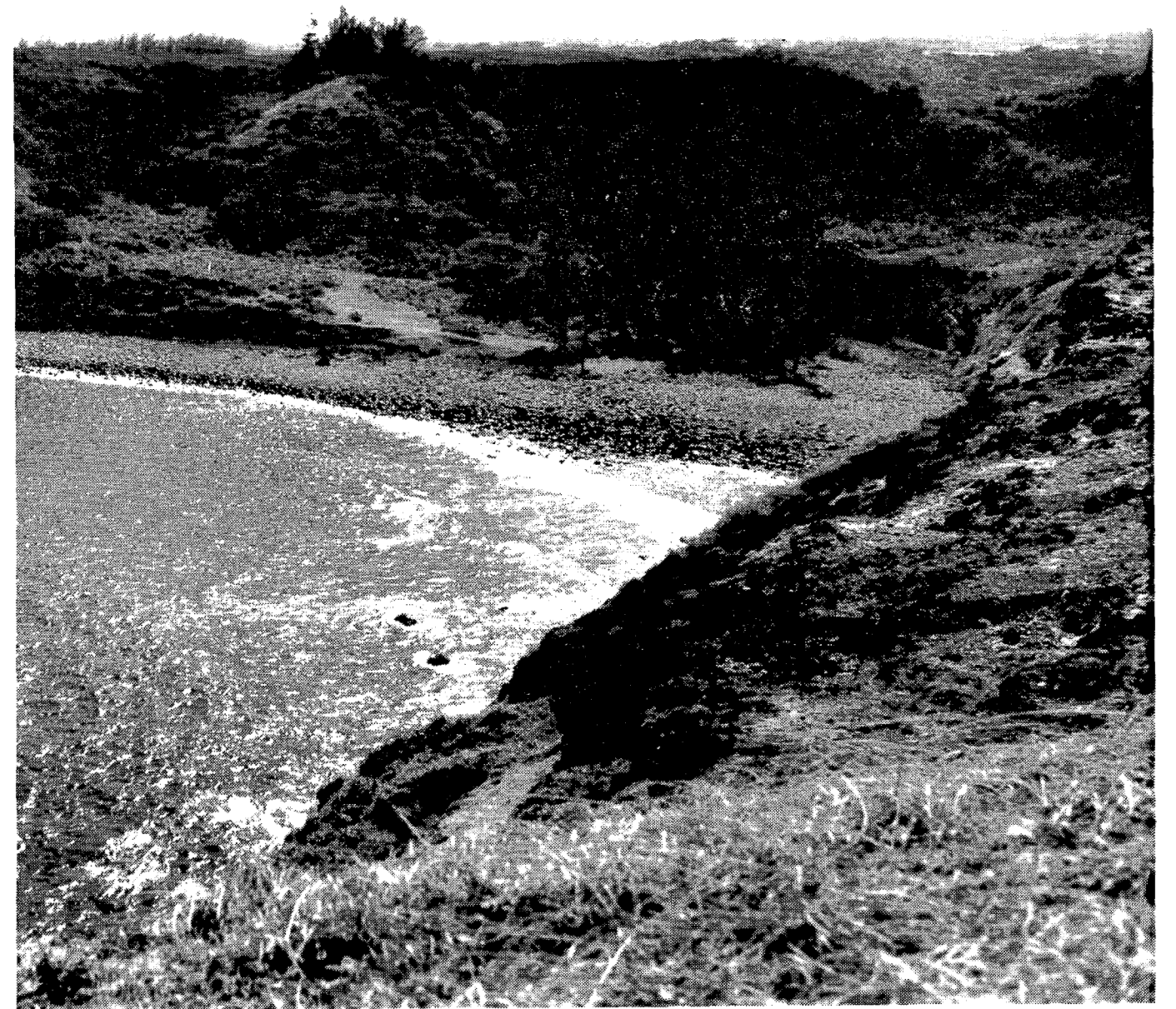




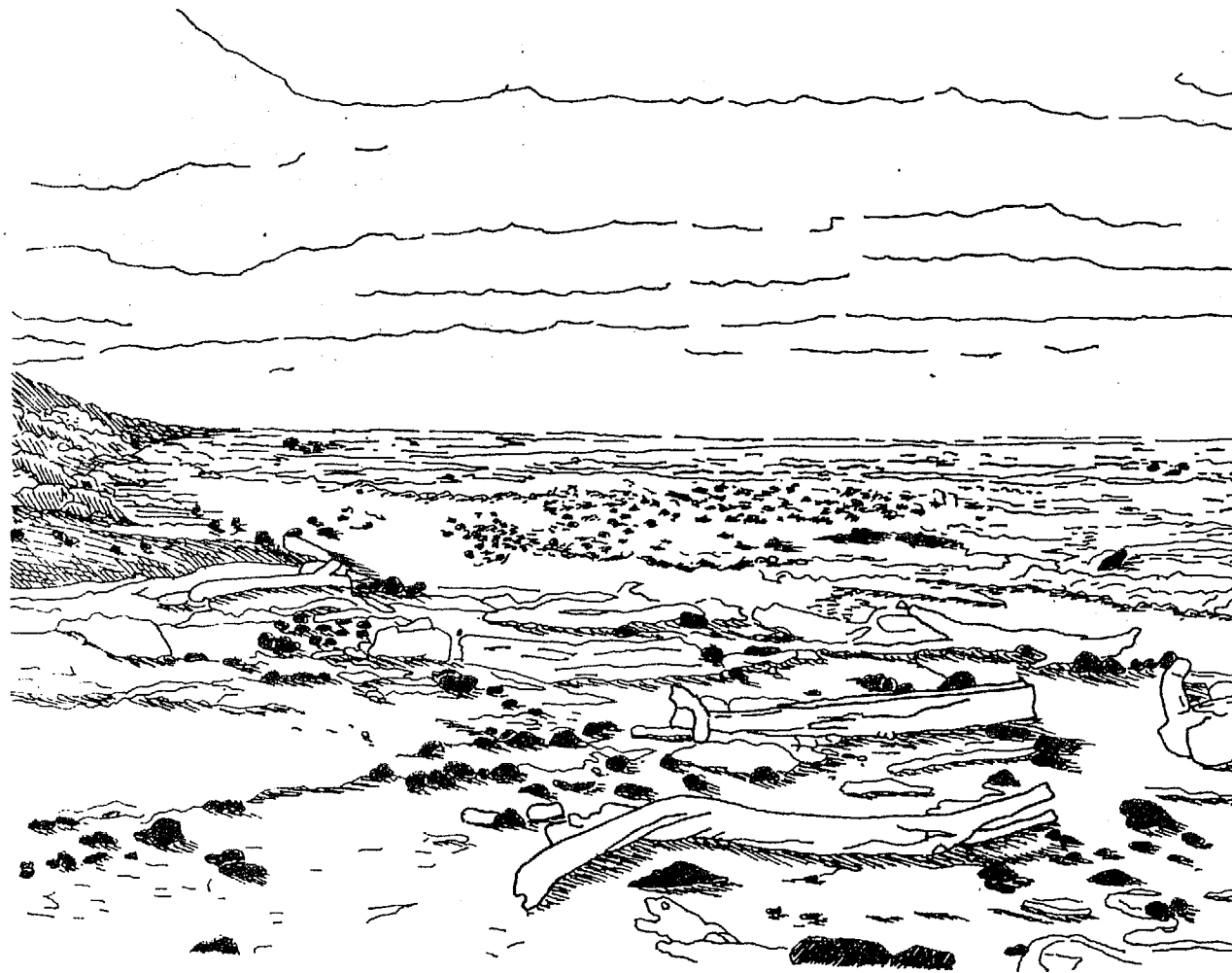
**LEGEND :**  
 ⑦ PUBLIC ACCESS

**PAIA - HAIKU  
 PLANNING REGION**





# HANA





TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
1-1-001:021	Maui	Honomanu	Han State	0	vertical	U	dirt		off road	varies	rocky	-	-	-	-	-	-	-	01
1-1-002:007	Maui	Nuaailua	Han State																02
1-1-003:066	Maui	Keanae	Han State	0	open	U	gravel	10	grass	varies	rocky	-	-	-	-	-	-	-	03 canoe landing and ramp
1-1-003:087	Maui	Keanae	Han State	0	open	U	gravel	10	gravel	varies	rocky	-	-	-	-	-	-	-	03 Concrete launch; E.O. to DOT
1-1-003:001	Maui	Keanae Public Park	Han State	0	Open	Unimp	grass	var	grass	var	rocky								04
1-1-008:	Maui	Pauwahu Point	Han State																05
1-1-006:002	Maui	Wailua Bay	Han State	0	vertical	U	dirt;4WD	8	dirt	0	rockbeach	-	-	-	-	-	-	-	06 End of Wailua Road;ROW to Wailua Stream
1-2-001:035	Maui	Nahiku Landing	Han State	0	vertical	U	dirt		off road	varies	rocky	-	-	-	-	-	-	-	07
1-3-002:004	Maui	Kalahu Point	Han HanaRanch	0	vert/lat	U	grass	8-10	grass	20	rockcliff	-	-	-	-	-	-	-	08 Pi'ilanihale Heiau (Natnl Register);Bot
1-3-005:009	Maui	Waiapanapa Park	Han State	4	lat/vert	I	pavement	12-14	pavement	30	rocky	+	-	+	+	+	+	-	09 caretakers quarters; cabins; maintained
1-3-007:001	Maui	Nanuaelele Point	Han State	0	vert/lat	U	gravel	10	gravel	4	low rock	-	-	-	-	-	-	-	10 access off refuse road;across Hana Harb
1-4-004:032	Maui	Hana Beach Park	Han County	2	lat/vert	I	pavement	16	offroad	70	sand	+	-	+	+	+	-	-	11 pavilions; boat ramp; community center
1-4-003:003	Maui	Waipauma Point	Han HanaRanch	0	open	U	grass	open	paved	30	rockcliff	-	-	-	-	-	-	-	12 Across Hasegawa General Store;access by
1-4-002:001	Maui	Lehoula Beach	Han HanaRanch	0	vert/lat	U	dirt	10-12	grass	20	sand/rock	-	-	+	+	-	-	-	13 Alau Island;Kaiuio'Pele;hazardous curre
1-4-010:001	Maui	Hamoia Beach	Han HanaRanch	1	vert/lat	I	paved	4	off rd	6	sand	+	+	+	+	+	+	+	14 Major beach facilities;amenities;privat
1-5-010:003	Maui	Wailua	Han Hanahuli Assn	0															15
1-6-003:001	Maui	Oheo Gulch-7 Ponds	Han Federal	4	vert/lat	I	gravel ped	4-6	gravel	60	rockcliff	-	-	+	+	-	+	-	16 National Park System;maintained trails
1-7-003:001	Maui	Hana-Mokulau Landing	Han State	0	vertical	U	dirt	10		0	rocky	-	-	-	-	-	-	-	17 Kaupo Church site
1-8-001:001	Maui	Nuu	Han Kaupo Ranch,Ltd	0	vertical	U	dirt	8	U	10	sand	-	-	-	-	-	-	-	18 Fishing;cross net
1-9-001:003	Maui	Kahikinui	Han State-HHL																19

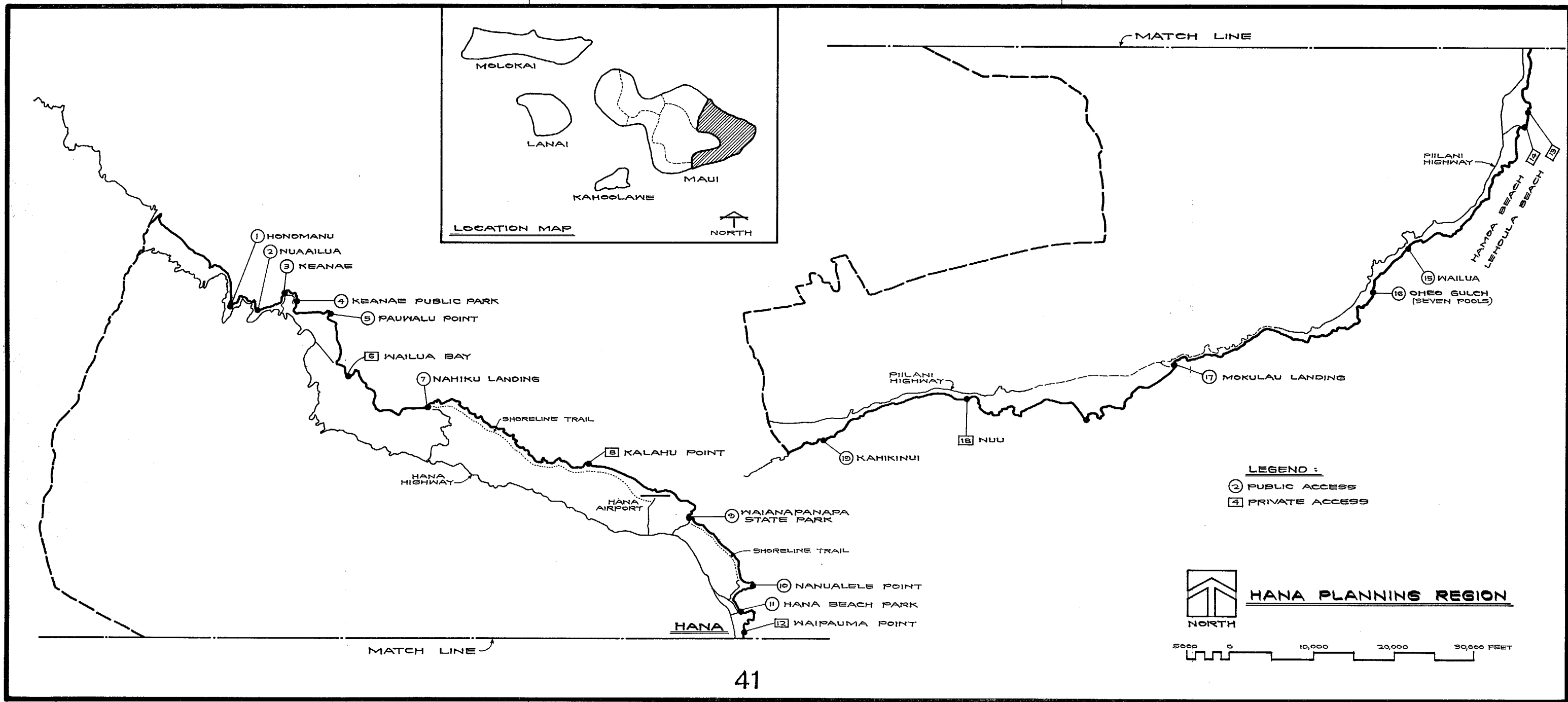
TOTAL

Printed 21 of the 205 records.

TOTAL

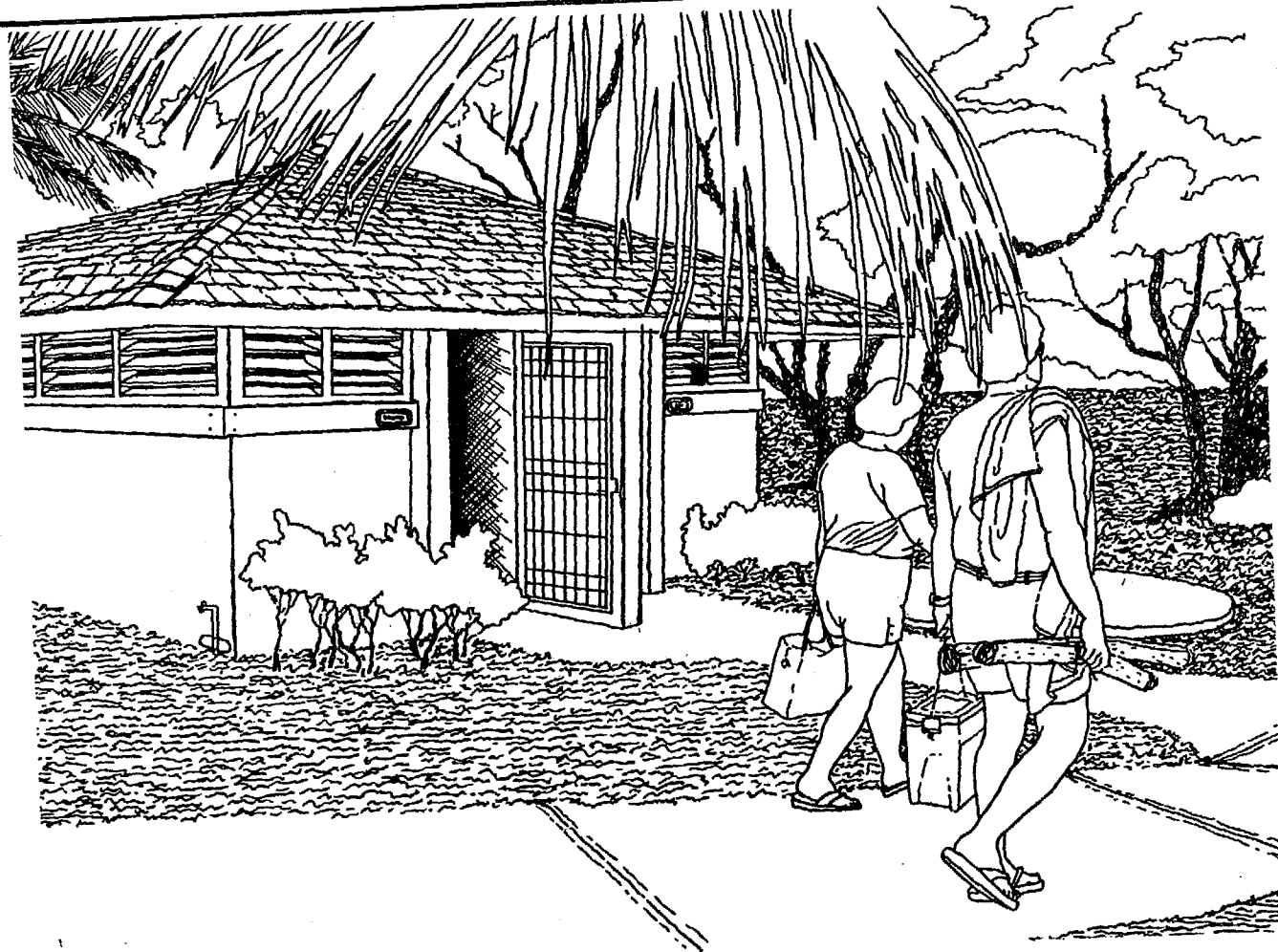
Printed 21 of the 205 records.







## KIHEI - MAKENA



01-01-1980

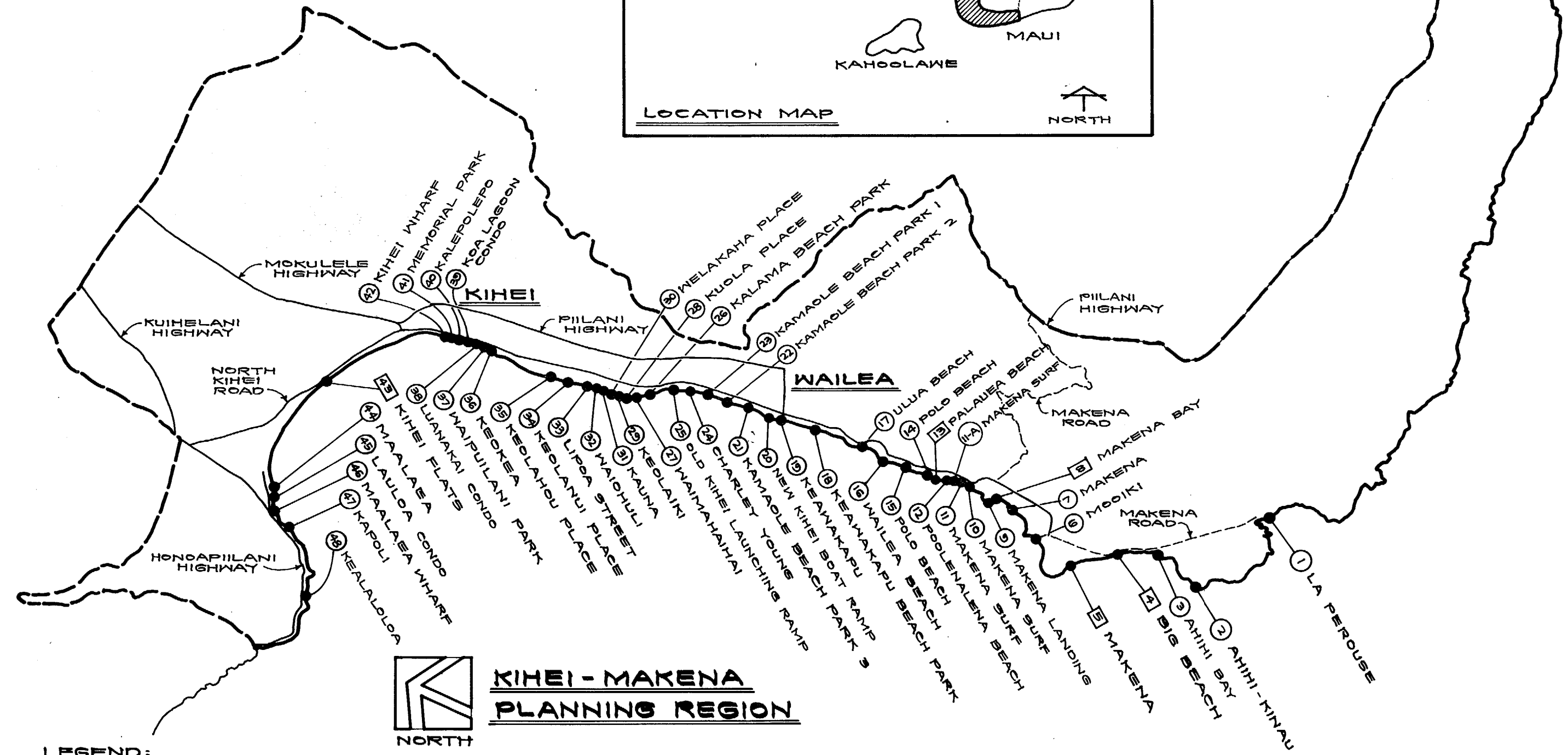
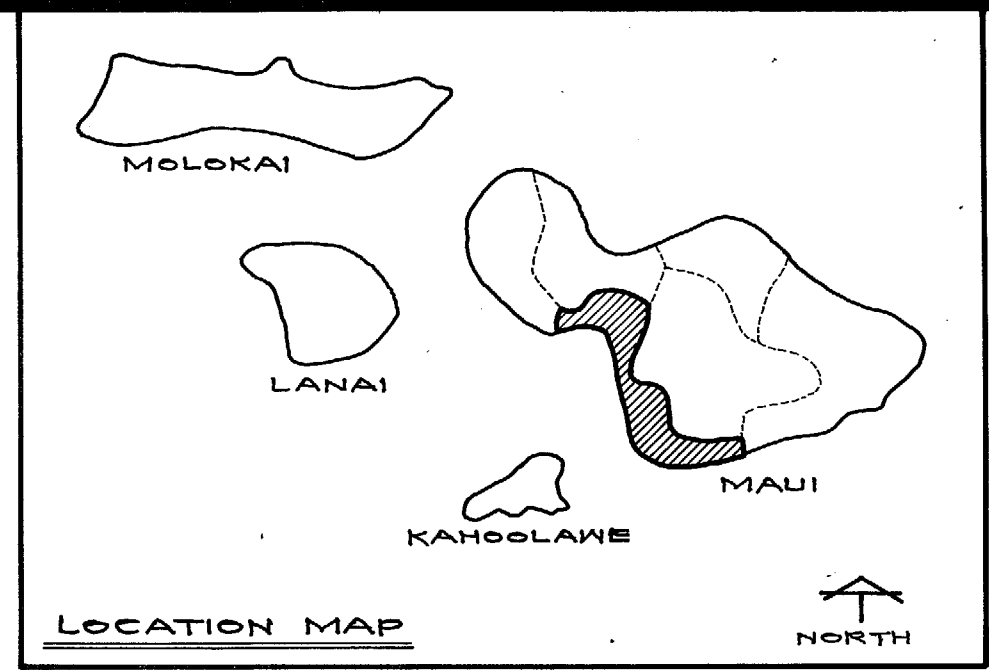
Page 1

01-01-1980

TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
2-1-004:075	Maui	La Perouse	K-M State	0	vertical	U	gravel	10	gravel	5	sand	-	-	-	-	-	-	-	01 adjacent to NARS
2-1-004:073	Maui	Ahihi-Kinau NARS	K-M State-DLNR	1	vertical	U	gravel	10/6	gravel	10	rocky	-	-	-	-	-	-	-	02 E.O. 2668
2-1-006:012	Maui	Makena-Ahihi Bay	K-M R.Crandlemire	0	vertical	U	sand	6	off rd	4	sand	-	-	-	-	-	-	-	03 Regd dedication not complete;obstructed
2-1-006:027	Maui	Makena-Big Beach	K-M SeibuHawaii, Inc	0	vertical	U	dirt	12	dirt	12	sand	-	-	-	-	-	-	-	04 Proposed park;camping
2-1-007:094	Maui	Makena	K-M Seibu	0	open	U	sand	var			sand	-	-	-	-	-	-	-	05 Parking on 2-1-007:010
2-1-006:030	Maui	Makena-Mooiki	K-M State	0	vertical	U	dirt;4WD	15	off rd	40	sand	-	-	-	-	-	-	-	06 Puu Olai;heavy use
2-1-006:032	Maui	Makena	K-M State	0	vertical	U	dirt	8	off rd	10	sand	-	-	-	+	-	-	-	07
2-1-006:059	Maui	Makena Bay	K-M Seibu	1	vertical	U	sand	var	off rd	5	sand	-	-	-	-	-	-	-	08
2-1-007:010	Maui	Makena Landing	K-M State	1	open	I	sand	var	paved	21	sand	-	-	-	-	-	-	-	09 Parking for 2-1-007:094; old boat landi
2-1-007:079	Maui	Makena Surf I	K-M County-Esmt		vertical						sandy								10 Under construction
2-1-007:095	Maui	Makena Surf II	K-M County-Esmt		vertical						sandy								11 Under construction
2-1-007:095	Maui	Makena Surf III	K-M County		vertical						sandy								11a Under construction
2-1-007:072	Maui	Poolenalena Beach	K-M County																12
2-1-007:084	Maui	Poolenalena Park	K-M County																12
2-1-011:013	Maui	Palaua Beach	K-M PalauaBchPro		lat/vert	U					sandy								13
2-1-023:003	Maui	Makena-Polo Beach	K-M Cty	1	vertical	I	concrete	5	paved	20	sand	+	+	-	+	+	-	-	14 Well maintained;handicapped restrooms
2-1-023:003	Maui	Makena-Polo Beach	K-M Cty	1	vertical	I	concrete	5	paved	20	sand	+	+	-	+	+	-	-	15 Well maintained;handicapped restrooms
2-1-008:089	Maui	Wailea Beach	K-M Cty	1	vertical	I	paved	16	paved	40	sand	+	+	-	+	+	-	-	16 Drop-off parking area
2-1-008:088	Maui	Ulua Beach	K-M Cty	1	vertical	I	paved	18/5	paved	40	sand	+	+	-	+	+	-	-	17 connect w/ lateral access to Stouffers
2-1-010	Maui	Keawakapu Beach Park	K-M Cty	1	vertical	I	paved	20	paved	24	sand	-	+	-	+	+	-	-	18 Off Kihei Rd
2-1-010	Maui	Keawakapu Beach	K-M Cty	1	vertical	I	paved	6	paved	65	sand	-	-	-	+	-	-	-	19 Pkg on 2-1-021:001(20 stalls)
3-9-004:061	Maui	New Kihei Boat Ramp	K-M State	0	open	I	paved	20	paved	125	sand/rock	-	-	-	-	-	+	-	20 KalauaihihakoBoat Ramp
3-9-004:001	Maui	Kamaole Beach Park	K-M State		open	U	sand				sand								21
3-9-004:048	Maui	KamaoleBeachPark III	K-M Cty	1	vertical	I	paved	20	paved	90	sand	+	+	+	+	+	+	+	21 Major park;extends to 3-9-005:032,029
3-9-005:029	Maui	KamaoleBeachPark II	K-M County																22
3-9-005:030	Maui	KamaoleBeachPark I	K-M Cty	0	vertical	I	paved	20	off rd	46	rocky	+	+	+	+	+	+	+	23 Major beach park;extends to 3-9-005:29
3-9-005:032	Maui	CharleyYoung's Beach	K-M State		vertical	I	pavement		off road	varies	sandy	-	+	-	-	-	-	-	24
3-9-005:052	Maui	Old Kehei Ramp	K-M State	0	open	U	gravel	var	paved	40	rocky	-	-	+	-	-	-	-	25 Former boat ramp;shoreline reinforced s
3-9-005:052	Maui	Kalama Beach Park	K-M State	1	open	U	grass	open	paved	212	rock	+	+	+	+	+	+	-	26 Active park;flds;pavilions;tennis court
3-9-012	Maui	Kihei-Waimahaihai Pl	K-M Cty		vertical	U	gravel		off road	varies	sandy	-	-	-	-	-	-	-	27
3-9-011	Maui	Kihei-Kuola Pl	K-M Cty	1	vertical	U	gravel	10	off rd	10	sand	-	-	-	-	-	-	-	28
3-9-011	Maui	Kihei-Keolaiiki Place	K-M Cty		vertical	U	gravel		off road	varies	sandy	-	-	-	-	-	-	-	29
3-9-010	Maui	Kihei-Welakahao Pl	K-M Cty	0	vertical	I	paved	20	off rd	varies	sand	-	-	-	-	-	-	-	30 Need maintenance
3-9-010	Maui	Kihei-Kauna Pl	K-M County		vertical	U	gravel		off road	varies	sandy	-	-	-	-	-	-	-	31
3-9-009	Maui	Kihei-Waiohuli Pl	K-M County		vertical	U	gravel		off road	varies	sandy	-	-	-	-	-	-	-	32
3-9-009	Maui	Kihei-Lipoa St	K-M Cty	1	vertical	U	dirt	30	off rd	20	sand	-	-	-	-	-	-	-	33
3-9-008	Maui	Kihei-Keolanui Pl	K-M Cty	1	vertical	U	sand	12	off rd	6	sand	-	-	-	-	-	-	-	34
3-9-008	Maui	Kihei-Keolahou Pl	K-M Cty	1	vertical	U	sand	12	off rd	6	sand	-	-	-	-	-	-	-	35
3-9-007:005	Maui	Keokea Beach Hmstds	K-M County	0	vertical	U	gravel		off road	varies	sandy	-	-	-	-	-	-	-	36
3-9-008:001	Maui	Keokea Beach	K-M County																36
3-9-009:011	Maui	Keokea Beach	K-M County																36
3-9-001:001	Maui	Kihei-WaipuilaniPark	K-M State	0	open	U	grass	var	paved	19	sand	+	-	+	+	+	-	-	37
3-9-001:006	Maui	Luana Kai Condo	K-M County	1	vertical	I	asphalt	4	off road	10	sandy	-	-	-	-	-	-	-	38
3-9-001:068	Maui	Kihei-KoalagoonCondo	K-M County		vertical														39
3-9-001:147	Maui	Kalepolepo Park	K-M County	1	open	I	paved		paved	9	sandy	-	+	+	+	+	-	-	40
3-9-001:025	Maui	Kihei-Memorial Park	K-M State	1	open	U	sand	open	paved	10	sand	+	-	+	-	+	-	-	41 Parking b/u unto road
3-8-013:001	Maui	Kihei Memorial Park	K-M County	1	open	I	pavement	16	pavement	40	sandy	+	+	+	+	+	-	-	41 pavilion
3-8-013:002	Maui	Kihei Wharf	K-M State	0	open	U	sand	open	off rd	20	sand	-	-	-	-	-	-	-	42 Windsurfing;sailing;canoe
3-8-005:003	Maui	Kihei Flats	K-M A&B		open	U	dirt/sand	var	dirt/sand	varies	sandy	-	-	-	-	-	-	-	43
3-8-005:032	Maui	Maalaea	K-M Cty	0	open	U	sand	open	off rd	10	sand	+	+	-	-	-	-	-	44 Windsurfing;end of rd
3-8-014:016	Maui	Maalaea-Lauloa Condo	K-M Cty	0	vertical	I	paved	20	paved	10	sand	+	+	-	+	+	-	-	45 LauLoa Maalaea condo;Sailing;windsurfin
3-6-001:002	Maui	Maalaea Wharf	K-M State	1	open	I	paved	20	paved	85	manmade	+	-	-	+	-	+	-	46 Small boat harbor
3-6-001:006	Maui	Kapoli	K-M State		open	U	dirt		dirt	varies	rocky	-	-	-	-	-	-	-	47 Off Honoapiilani Hgwy
3-6-001:020	Maui	Kealahou	K-M State		open	U	dirt		dirt	varies	rocky	-	-	-	-	-	-	-	48 Off Honoapiilani Hghwy

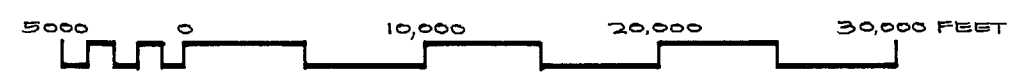
TOTAL

TOTAL

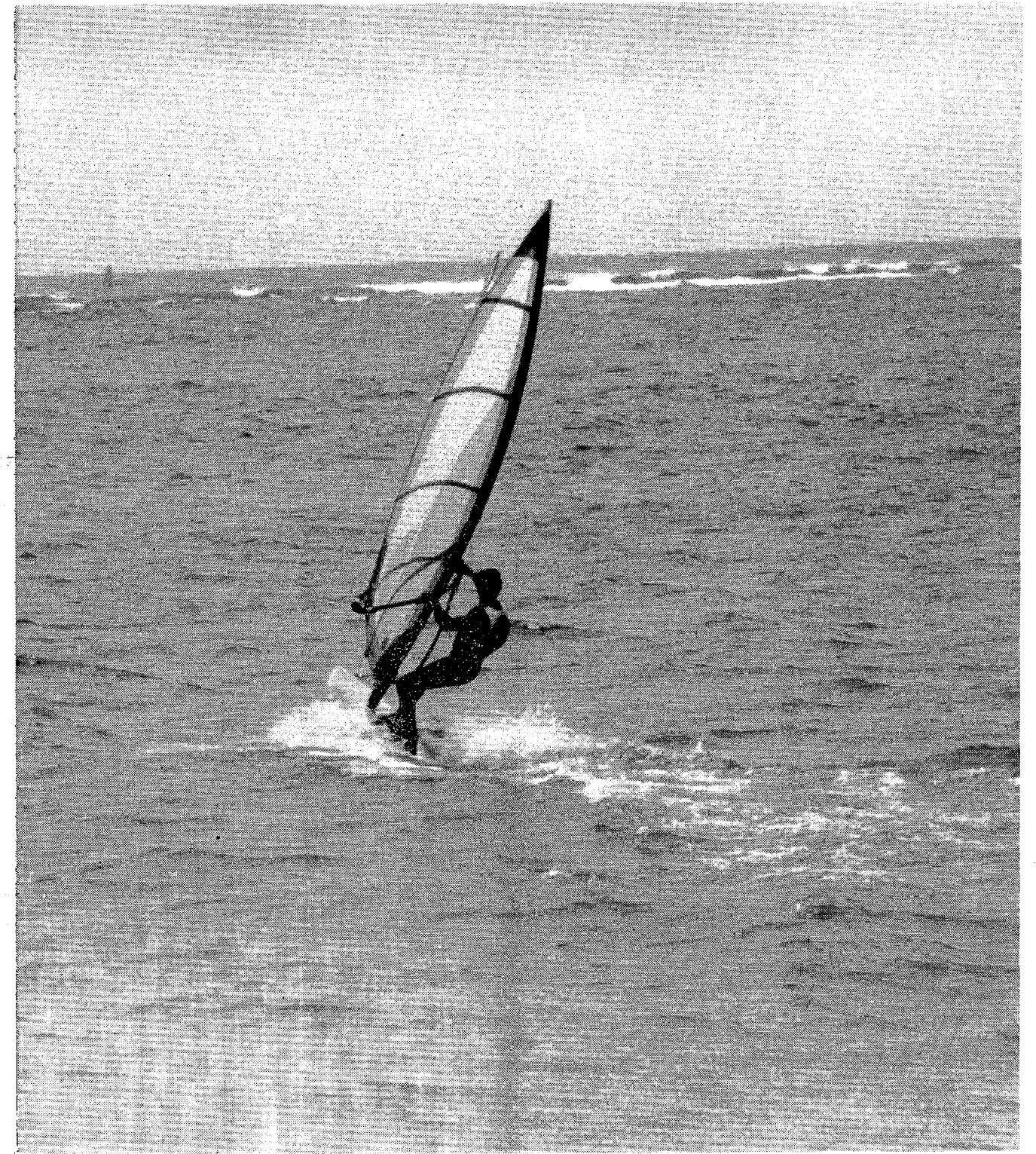


**KIHEI - MAKENA  
PLANNING REGION**

- LEGEND:
- ② PUBLIC ACCESS
  - ③ PRIVATE ACCESS







## LAHAINA



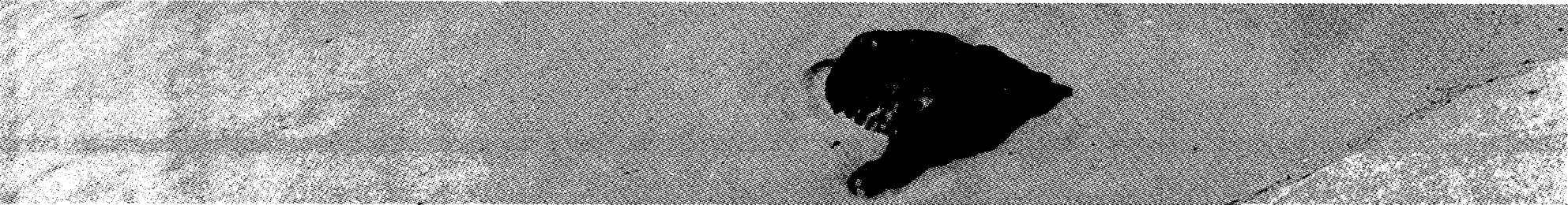
TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
4-8-002:003	Maui	Papalaua WaysidePark	Lah State	1	open	I	paved	20	paved	15	sand	+	-	+	+	-	-	-	01
4-8-002:031	Maui	UkumehameWaysidePark	Lah State	1	open	I	pavement		pavement	40	sandy	+	-	+	+	+	-	-	02
4-8-002:041	Maui	Ukumehame Beach Park	Lah State																02
4-8-003:006	Maui	Olowalu	Lah State	0	open	U	off road		off road		sand	-	-	-	-	-	-	-	03 surfing
4-8-003:005	Maui	Olowalu	Lah State	0	open	U	off road		off road		sand	-	-	-	-	-	-	-	03 surfing
4-7-001:017	Maui	Laniupoko State Park	Lah State	1	open	I	paved		paved	35;2 bus	sand	+	+	+	+	+	+	-	04 No camping
4-6-033:001	Maui	Puamana Beach Park	Lah Cty	1	open	I	paved	20	paved	30	sand	-	-	+	+	-	-	-	05
4-6-028:054	Maui	Puamana PUD	Lah Cty		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	06
4-6-003:018	Maui	Puamana	Lah County		vertical	U	dirt		off road	varies	sandy	-	-	-	-	-	-	-	07
4-6-002:002	Maui	Kauaula St	Lah Cty	2	vert/pedes	I	paved	6	none	0	sand	-	-	-	+	-	-	-	08 Two blocks S. of Lahaina Shores
4-6-002:007	Maui	Lahaina Shores	Lah Cty	0	vertical	i	paved	4	none	0	sand	-	-	-	+	-	-	-	09 Adjacent to Lahaina Shores condo
4-6-002:010	Maui	Armory Park	Lah Cty	0	open	I	paved	20	paved	24	sand	-	-	+	+	-	-	-	10 Pavilions
4-6-001:002	Maui	Lahaina Harbor	Lah State	0	open	I	paved	20	paved	50	man made	-	-	-	+	-	+	-	11 Small boat harbor; also 4-6-001:014
4-6-009	Maui	Lahaina Sea Wall	Lah County	0	vertical	I	concrete	6	none	none	rock	-	-	-	-	-	-	-	12 Steps off wall
4-5-004:002	Maui	Puunoa Pl	Lah Cty	2	vertical	I	paved	25	paved	4	sand	-	-	-	+	-	-	-	13
4-5-004	Maui	Ala Moana St	Lah Cty	0	vertical	I	paved	25	paved	varies	sand	-	-	-	-	-	-	-	14 Adjacent to Lahaina Jodo Mission; cemet
4-5-005:003	Maui	Mala Ramp	Lah State	0	Open	I	[paved	20	paved	30	manmade	-	-	-	+	-	-	-	15 Small boat launch ramp
4-5-021:007	Maui	Wahikuli State Park	Lah State	1	open	I	paved	20	paved	80	sand	+	+	+	+	+	+	-	16
4-4-006:047	Maui	Hanakaoo Beach Park	Lah Cty	1	open	I	paved	20	paved	90	sand	+	+	+	+	+	+	+	17
4-4-006:031	Maui	Hyatt-Kaanapali	Lah Cty	1	vertical	I	paved	4	paved	10	sand	-	+	-	+	+	-	+	18 S.side Hyatt; attendant controlled park
4-4-006:044	Maui	Hyatt/Marriott-Kapal	Lah Cty	0	vert/lat	I	paved	6	paved	10	sand	-	-	-	-	-	-	-	19 Between Hyatt and Marriott;entry Kaanap
4-4-006:029	Maui	Marriott-Kaanapali	Lah Cty	0	vert/lat	I	paved	5	paved	10	sand	-	-	-	-	-	-	-	20 Marriot Hotel
4-4-008:002	Maui	Alii/Maui Westin	Lah Cty	0	vertical	I	paved	10	paved	10	sand	-	-	-	-	-	-	-	21 Between Maui Surf and Kaanapali Alii;
4-4-008:001	Maui	Whalers/Maui Westin	Lah County-Esmt	0	vertical	I	pavement	12-15	pavement	25	sand	-	-	-	+	-	-	-	22 Under construction w/ Maui Westin
4-4-008:005	Maui	Sheraton-Kaanapali	Lah Cty	0	vertical	I	paved	7	paved	5	sand	-	-	-	-	-	-	-	23 S. of Sheraton
4-4-008:007	Maui	Airport-Kaanapali	Lah Cty	0	vertical	U	grass	6-12	paved	varies	sand	-	-	-	-	-	-	-	24 East of Kaanapali Airstrip
4-4-001:046	Maui	Honokowai Park	Lah Cty	0	open	I	paved	15	paved	40	sand	+	+	+	+	+	-	-	25 No camping;
4-3-008:006	Maui	Mahinahina	Lah County		vertical	U	dirt		off road	varies	rocky	-	-	-	-	-	-	-	26
4-3-002	Maui	Napili Hui Dr.	Lah State	0	open	U	dirt	open	off rd	10	rock/sand	-	-	-	-	-	-	-	27 Surfing
4-3-015:005	Maui	Hui Road "E"	Lah County		vertical	I	pavement	14	off road	varies	sandy	-	-	-	-	-	-	-	28
4-3-015:004	Maui	Alaeloa	Lah County																28 Adjacent to Hui Rd "E"
4-3-002	Maui	Napili-Napili Pl	Lah Cty		vertical	I	pavement	14	off road	varies	sandy	-	-	-	-	-	-	-	29
4-2-001:025	Maui	Bay Villas	Lah County-Esmt		vertical	I	pavement		pavement	26	sandy	+	+	+	+	+	-	-	30 Adjacent to Hawea Lighthouse
4-2-001:003	Maui	Hawea Point	Lah Federal	0	vertical	U	grass/dirt		none	none	rocky	-	-	-	-	-	-	-	30 Old lighthouse site
4-2-001:012	Maui	Kapalua	Lah Cty	1	vertical	U	dirt/grass	10	paved	10	sandcliff	-	-	-	-	-	-	-	31 Ironwoods;adjacent Kapalua Golf Course;
4-2-001:019	Maui	D.T. Fleming Park	Lah Cty	1	open	I	pavement	20	pavement	28	sand	+	+	+	+	+	-	-	32
4-2-001:031	Maui	Honokahua	Lah MauiLand&Pine	0	vertical	U	dirt	12	dirt	12	sand	-	-	-	-	-	-	-	33 surfing
4-1-001:010	Maui	Honolua Bay	Lah MauiLand&Pine	0	vertical	U	dirt	10	offroad	10	rocky	-	-	-	-	-	-	-	34 Winter surfing site; active water use
4-1-001:010	Maui	Punalau Point	Lah MauiLand&Pine	0	vertical	U	dirt	10-15	U	15	sand/cor	-	-	-	-	-	-	-	35
4-1-001:009	Maui	Honokohau Bay	Lah MauiLand&Pine	0	open	U	rock	open	rock	varies	sandy	-	-	-	-	-	-	-	36 Off road parking
4-1-001:014	Maui	Nakalele	Lah Cty	0	vertical	U	dirt	16	grass	4	rocky	-	-	-	-	-	-	-	37 Coast Guard Light;rock walls
4-1-001:009	Maui	Keawalua	Lah MauiLand&Pine	0	vertical	U	dirt	10	grass	varies	rocky	-	-	-	-	-	-	-	38 Adjacent to Polehua; fenced in areas
4-1-001:009	Maui	Poelua	Lah MauiLand&Pine	0	vertical	U	dirt	10	grass	varies	rocky	-	-	-	-	-	-	-	39 Adjacent to Keawalua

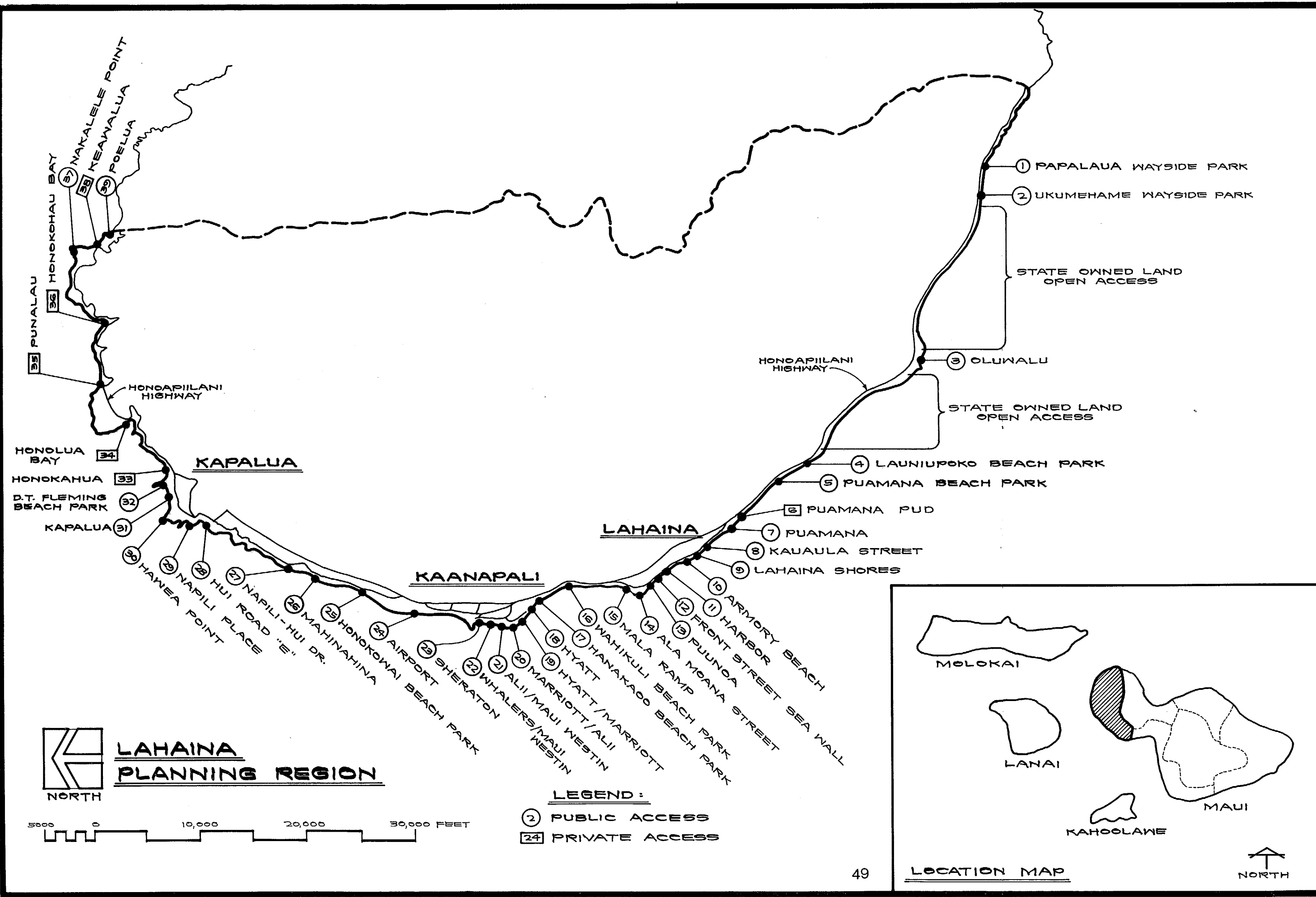
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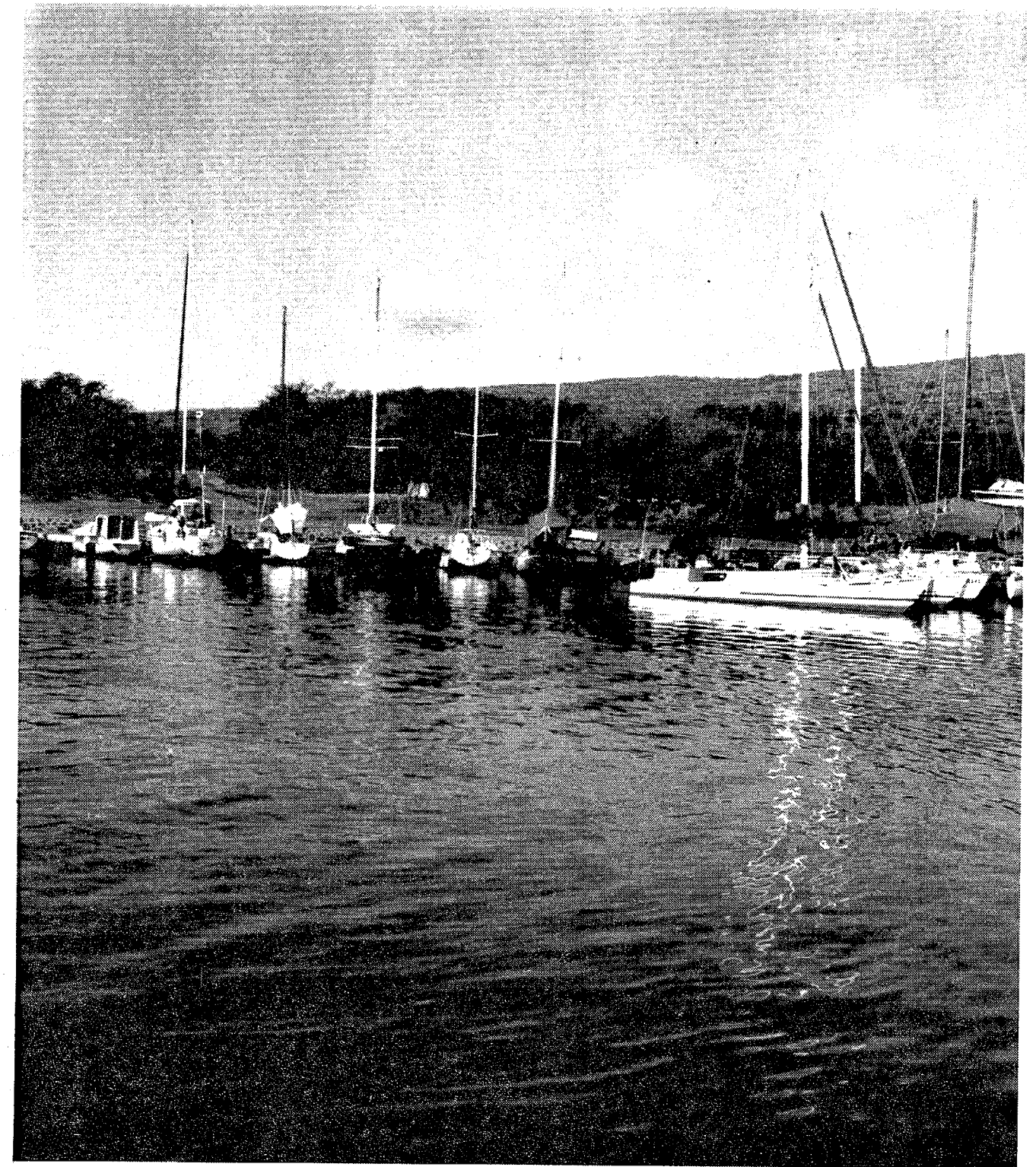
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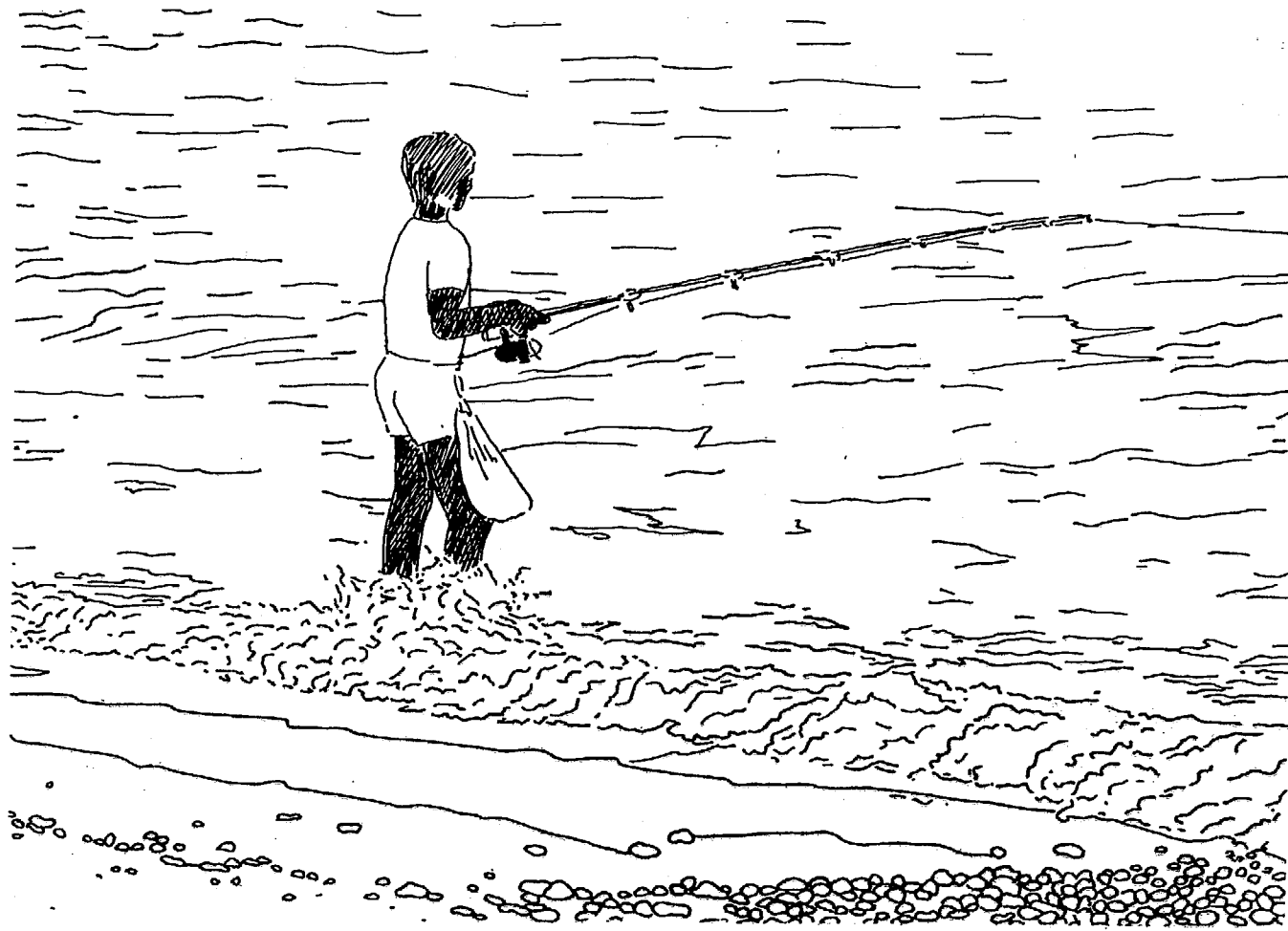








# LANAI



TaxMapKey	Island	Location	Pln Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
4-9-002:001	Lanai	Shipwreck	Lan Castle&Cook	0	vertical	U	dirt	8	off rd	varies	rocky	-	-	-	-	-	-	-	01 Proposed park;petroglyph flds
4-9-003:010	Lanai	Halepalaoa	Lan LanaiCorp	0	vertical	U	dirt;4WD		off rd		sand	-	-	-	-	-	-	-	02 Lanai landing;sailing
4-9-002:001	Lanai	Naha	Lan Castle&Cook	0	vertical	U	dirt	10	off rd		sand/rock	-	-	-	-	-	-	-	03
4-9-002:044	Lanai	Manele Bay	Lan State	1	vert/lat	U	gravel	20	gravel	varies	sand	-	-	-	-	-	-	-	04 Marine Life Conservation District
4-9-002:001	Lanai	Hulope	Lan Castle&Cook	0	vert/lat	U	gravel	20	gravel	varies	sand	-	-	-	-	-	-	-	05
4-9-002:001	Lanai	Kaunolu	Lan Castle&Cook	1	vertical	U	dirt	10-12	gravel	varies	rocky	-	-	-	-	-	-	-	06 Recently graded;historic sites
4-9-003:026	Lanai	Kaunapau Harbor	Lan State	1	open	I	paved	20	paved	40	manmade	+	-	-	+	+	-	-	07
4-9-002:001	Lanai	Awaiua	Lan Castle&Cook	0	vertical	U	dirt	10	off rd	varies	sand/rock	-	-	-	-	-	-	-	08 Camping
4-9-002:001	Lanai	Lapaiki	Lan Castle&Cook	0	vertical	U	dirt;4WD	10-12	dirt	varies	sandy	-	-	-	-	-	-	-	09 Camping

TOTAL

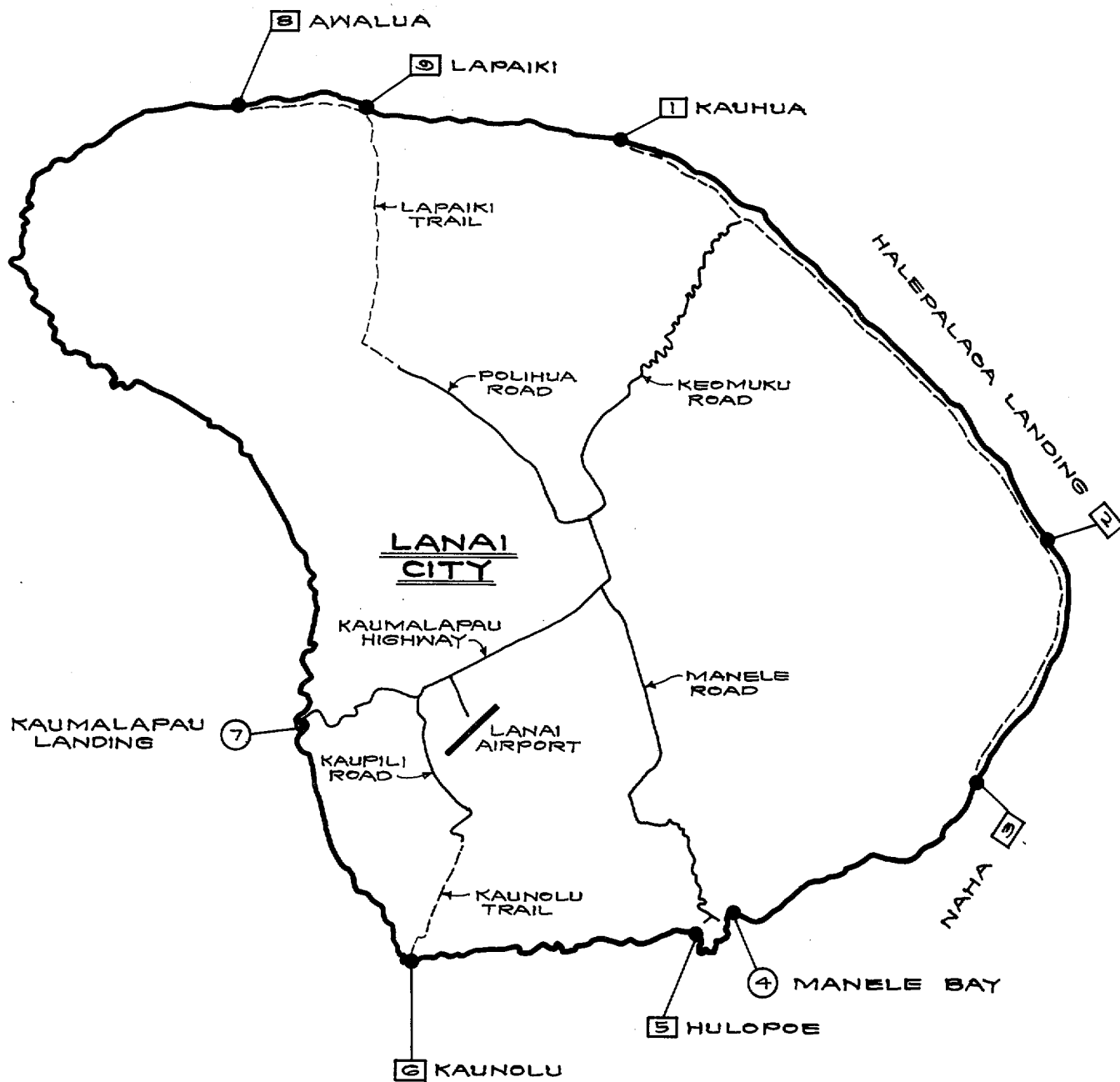
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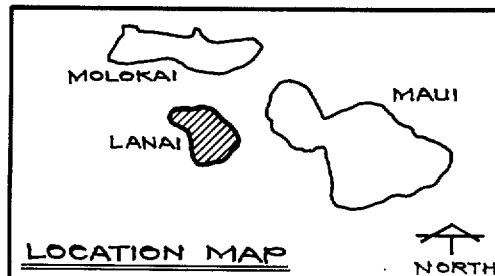


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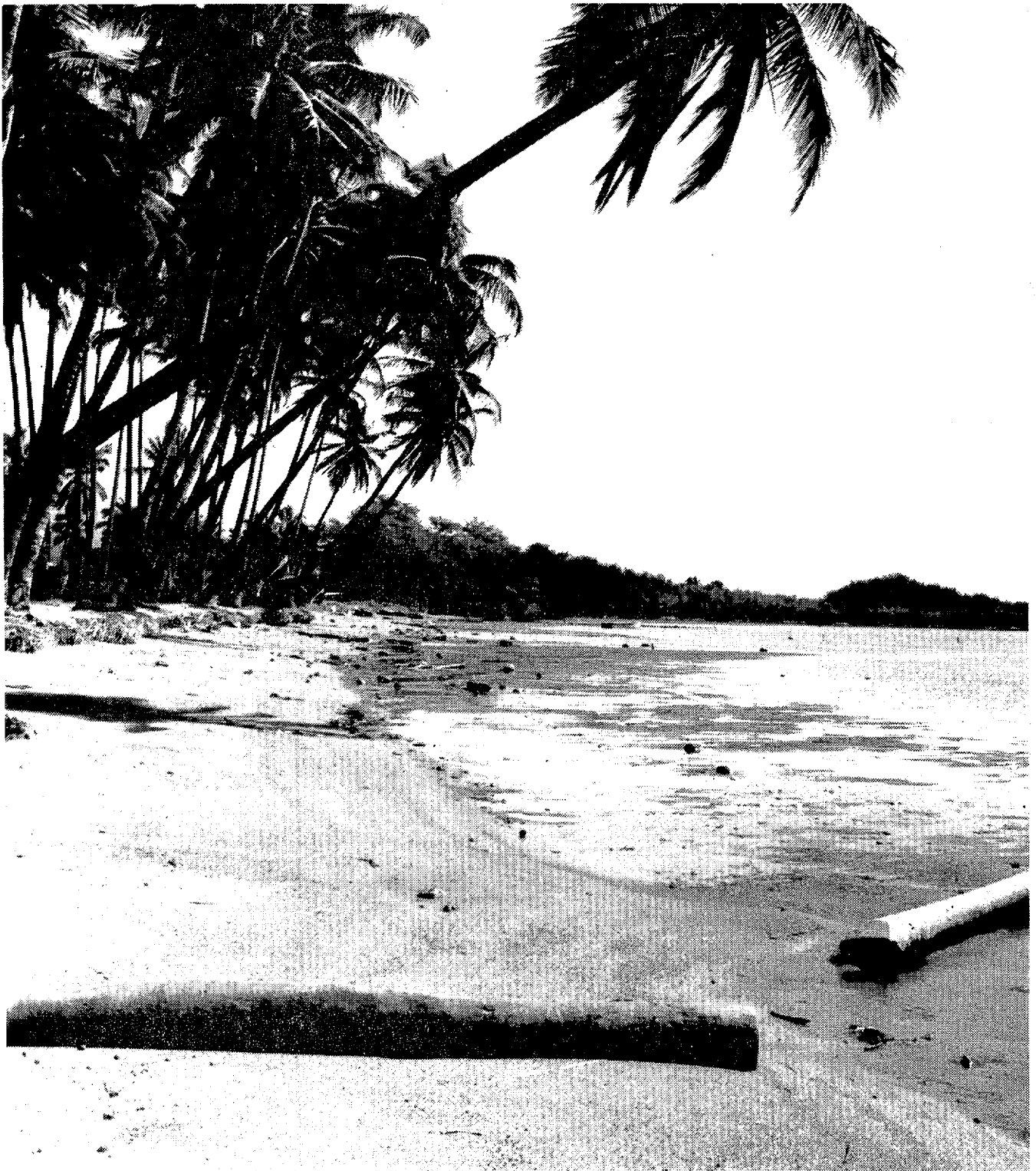
- ④ PUBLIC ACCESS
- ⑤ PRIVATE ACCESS



LANAI  
PLANNING REGION



LOCATION MAP



## MOLOKAI



TaxMapKey	Island	Location	Pln	Ownership	Signs	AccessType	Imprvd/Unimp	SurfaceType	Width	ParkingCon	No.Parki	Shoreline	Restroom	Showers	PicnicFac	TrashRecp	Water	Phone	Lifeguard	Features
5-2-005:006	Molokai	Mo'omomi	Mol	State-HHL	0	vertical	U	dirt	12	off rd	100	rocky	-	-	-	-	-	-	-	01 Camping
5-9-001:008	Molokai	Halawa	Mol	State	0	vertical	I	paved	12	off rd	50	sand	+	-	+	-	-	-	-	02 Surfing
5-8-002:005	Molokai	Honouliwai	Mol	State																03
5-8-003:001	Molokai	Honouliwai	Mol	State																03
5-8-001	Molokai	Murphys Beach	Mol	State-HHL	0	vertical	U	dirt		off rd	20	sand	-	-	-	-	-	-	-	04 Surfing;Mapulehu fishpond
5-7-003:070	Molokai	Puniuohua Niu	Mol	State																05
5-7-007:022	Molokai	Panahaha Fishpond	Mol	State	1	vertical	U	dirt	8	off rd	15	sand	-	-	-	-	-	-	-	06
5-7-010	Molokai	Kainehe Rd	Mol	County	0	vertical	U	dirt/gravel		off road	varies	sandy	-	-	-	-	-	-	-	07
5-7-010	Molokai	Kahawai Rd	Mol	County		vertical	U	dirt/gravel		off road	varies	sandy	-	-	-	-	-	-	-	08
5-7-010	Molokai	Ehukai Rd	Mol	County		vertical	U	dirt/gravel		off road	varies	sandy	-	-	-	-	-	-	-	09
5-7-010	Molokai	Moana Rd	Mol	County		vertical	U	dirt/gravel		off road	varies	sandy	-	-	-	-	-	-	-	10
5-6-004:029	Molokai	Kilohana-Wavecrest	Mol	County	0															11
5-6-008:015	Molokai	Kamalo Wharf	Mol	State	0	vertical	U	gravel	10	gravel	25	sand/rock	-	-	-	-	-	-	-	12 Small boat landing
5-4-001:040	Molokai	Kakahaia Park	Mol	Federal	1	open	U	dirt	open	off rd	30	sand	-	-	+	+	-	-	-	13 No camping
5-4-001:027	Molokai	Moku	Mol	Molokai Ranch	1	vertical	I	paved	12	paved	6	sand	-	-	-	-	-	-	-	14 Fishponds;
5-4-003:023	Molokai	Kaoaini Beach Park	Mol	Cty	1	vertical	I	pavement	3	off rd	10	sand	-	-	-	-	-	-	-	15 Next to Kaoaini Fishpond
5-4-006:019	Molokai	One Alii Park	Mol	State-HHL	1	open	I	paved	20	gravel	50	sandy	+	+	+	+	+	-	-	16 Stage;ballfield;BBQ;next to Alii fishpo
5-3-007:006	Molokai	Seaside Pl	Mol	County																17
5-3-001:011	Molokai	Kaunakakai Harbor	Mol	State	1	vertical	I	pavement		pavement		rock	-	-	-	+	+	+	-	18 boating/fishing
5-2-009:078	Molokai	Kioea Beach Park	Mol	State-HHL	0	open	U			unimpvd	100	sandy	+	+	-	+	-	-	-	19
5-2-009	Molokai	Kapuaiwa Place	Mol	County		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	20
5-2-009:009	Molokai	Kapuaiwa Grove	Mol	State-HHL		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	20
5-2-008	Molokai	Eluwena Place	Mol	Cty		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	21
5-2-008	Molokai	Pa Place	Mol	Cty		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	22
5-2-008	Molokai	Emekona Place	Mol	Cty		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	23
5-2-008	Molokai	Ke Place	Mol	Cty		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	24
5-2-008	Molokai	Eu Place	Mol	County		vertical	I	pavement		off road	varies	sandy	-	-	-	-	-	-	-	25
5-1-002:012	Molokai	Hale O Lono Harbor	Mol	State		vertical	U	dirt	16	dirt/gravl	varies	rock	-	-	-	+	-	-	-	26 Former harbor
5-1-008:035	Molokai	Kaluakoi-Pohakuloa1	Mol	County		vertical	I	pavement		pavement		sand/rock	-	+	+	+	+	-	-	27
5-1-008:043	Molokai	Kaluakoi-Pohakuloa2	Mol	County																28
5-1-008:052	Molokai	Kaluakoi-Pohakuloa3	Mol	Cty-esmt	1	vertical	I	paved	18	paved	10	rocky	-	+	-	+	+	-	-	29 Off Pohakuloa Rd
5-1-007:029	Molokai	Kaluakoi-Kaula Ili	Mol	Cty	1	vertical	I	paved	18	paved	10	rocky	-	+	-	+	+	-	-	30 Sign hazardous waters
5-1-007:054	Molokai	Kaluakoi-Papapa	Mol	Cty	1	vertical	I	paved	18	paved	9	sand	-	+	-	+	+	-	-	31 Hazardous sign posted;surfing
5-1-006:063	Molokai	Kaluakoi	Mol	Cty	1	vertical	I	paved	18	paved	9	sand	-	+	-	+	-	-	-	32 Surfing;no camping
5-1-006:073	Molokai	Papohaku	Mol	Cty	1	vertical	I	paved	20	paved	120	sand	+	+	+	+	+	-	-	33 Front Sheraton Molokai; Hazardous water
5-1-003:007	Molokai	Kaluakoi-Kaiaka Rock	Mol	Cty	0	vertical	I	paved	20	paved	28	rocky	-	+	-	+	+	-	-	34 Next to Kaiaka Rock
5-1-003:004	Molokai	Kaluakoi-Lio Pl	Mol	PacificBayCorp	0	vertical	U	dirt	10	off rd	varies	sand/rock	-	-	-	-	-	-	-	35 "Make Horse"
5-1-002:001	Molokai	Kaluakoi-Kawakiu	Mol	Kaluakoi	0	vertical	U	gravel;4WD	8	off rd	varies	sand/rock	-	-	-	+	-	-	-	36 Proposed 5-ac park;some historic sites;

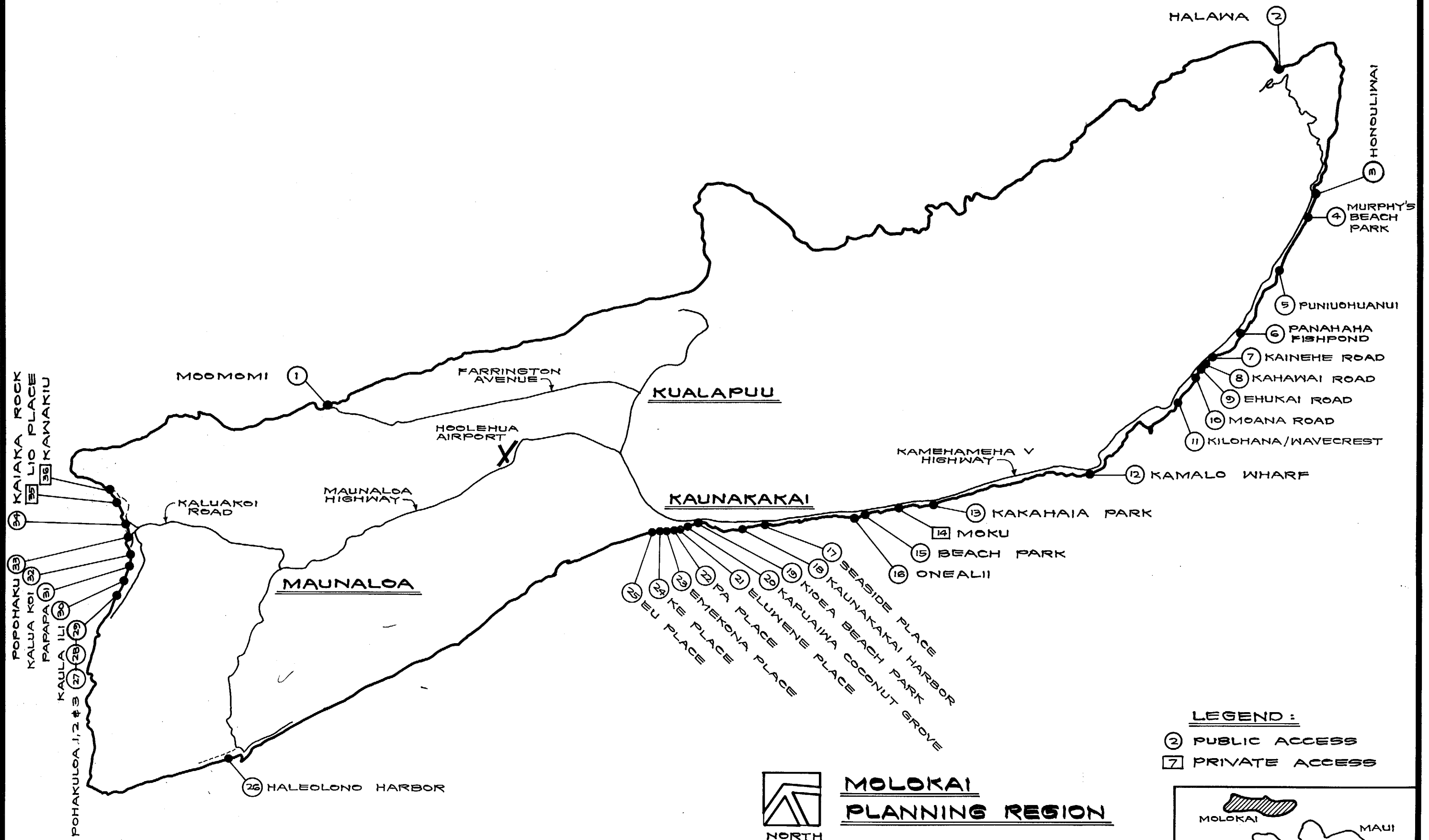
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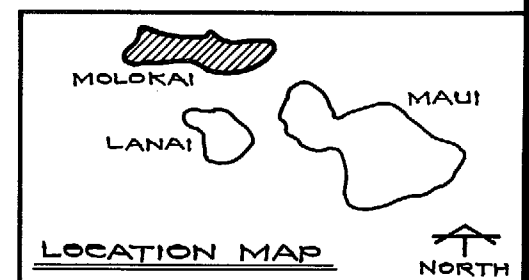
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## **CHAPTER IV PUBLIC ACCESS STANDARDS AND GUIDELINES**

### **INTRODUCTION**

Over the years, accessways and facilities were largely facilitated through the initiation of various shoreline development projects or through capital improvement funding. Legislation such as rights-of-ways dedication by subdividers (HRS 46-6, 1973); acquisition of rights-of-ways by counties (HRS 115-1, 1974); the shoreline protection act (HRS 205A, 1975); and the Hawaii Coastal Zone Management Act (Chapter 205A, HRS, 1977) has helped to focus public access issues but has not provided the kind of detailed systematic approach necessary to implement a long term public shoreline access program.

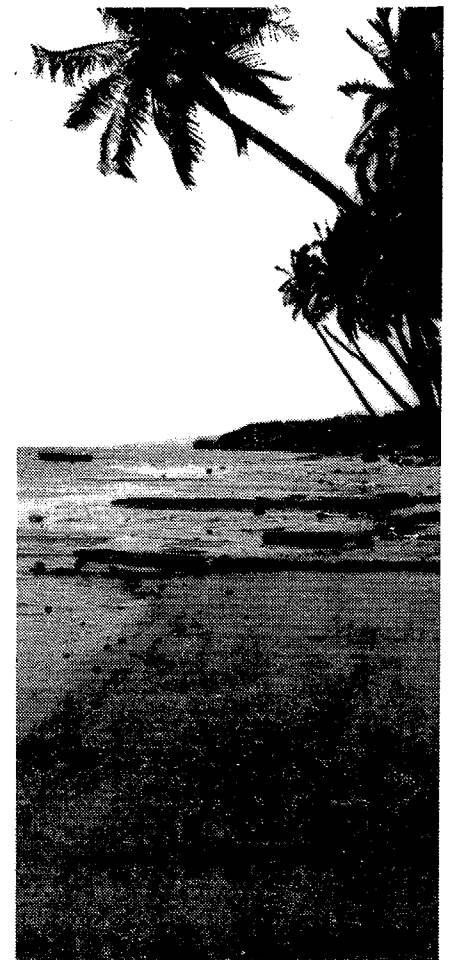
Maui County has taken several positive steps toward initiating consistent public shoreline access policy by developing uniform signage for public rights-of-ways and adopting ordinances for the dedication of public access by subdividers. In several resort areas, however, signage has varied somewhat from the County public access signage standards although uniformity within a resort area has been independently consistent.

The objective of these standards and guidelines is to provide appropriate consistency in the location, size and nature of public accesses to and along the shorelines of Maui County. Used in conjunction with locational criteria, they offer a framework for the implementation of a comprehensive public shoreline access program.

The scope of this plan and the guidelines and standards herein specifically relate to public shoreline access ways, parks and recreational facilities. It is recognized, however, that coastal highways or the system of roads along the water are primary means to provide the public with opportunities for access to and use of shoreline parks, beaches and ocean resources. Coastal highways are therefore, in concept, an integral part of the overall public shoreline access system. Issues, however, regarding the location, realignment or closure of coastal roadways have broader land use policy implications. As such, policies regarding coastal highways or roadways are more appropriate to address within the context of the County's comprehensive land planning process, with respect to community plans, zoning and other legislative policy-making. Again, the emphasis of this plan is specific to public shoreline access ways and the coastal parks and recreational facilities.

### **A. GENERAL PRINCIPLES FOR PUBLIC SHORELINE ACCESSWAYS**

The following principles should be used to guide the overall analysis of public shoreline access needs. These general principles are an integral part of the analytical process which establishes the recommended type of shoreline access on a site specific basis (see Figure 1).





- Public shoreline accesses should be located where they can safely accommodate public use and be distributed to prevent crowding, parking congestion, and misuse of coastal resources.
- Accessways should be no wider than necessary to accommodate the volume and type of anticipated users.
- The implementation of public access systems should consider the privacy of adjoining properties and residences.
- Access to environmentally sensitive areas should be evaluated on a case by case basis.
- Accesses should have the potential to be easily connected into larger continuous access systems.
- Expansion of existing, substandard accessways or systems should be considered when appropriate.

## **B. DEFINITIONS:**

### **BUFFER OR PROTECTION ZONE**

An area within the corridor used to insulate the accessway from detrimental surrounding activities.

### **CORRIDOR**

The total width, including the right-of-way and buffer zone which make up the accessway, including shoreline parks and certain types of shoreline developments which abut the shoreline and provide "open" or random access within definitive boundaries.

### **DESTINATION**

The objective for which the accessway is provided, usually the shoreline or coastal related resources.

### **HORSESHOE**

A half-loop trail along a road or other public right-of-way. The use starts at one end of the "horseshoe" as access to the shoreline and ends at another trailhead along the road or public right-of-way.

### **LATERAL ACCESSWAYS**

An area of land providing public access along and parallel to the water's edge.

### **LINE**

A two point connection from the trailhead to the destination.

### **LOOP**

A trail in the shape of a loop. This type of trail allows the user to return to the trailhead without retracing his steps.

### **RIGHT-OF-WAY**

The area established by legal description or other means which delineates the access width as it traverses over land. May be established as a legal property entity or as an easement over another party's land.

### **STANDARDS**

A uniform application for public access right-of-way designations, dedications, and easements on public and private land.

### **SUPPORT FACILITIES**

Those facilities that improve ease of public use and maintenance of coastal accessways. Such facilities include signs,



trash receptacles, public telephone, restrooms, showers, bike security racks, public telephones, public transit loading and unloading areas, campgrounds and parking areas.

### **TRAIL**

The last leg of access to or along the shoreline, usually by walking, cycling, or other non-vehicular means.

### **TRAILHEAD**

The start of the trail, usually located at a public roadway or facility or at the intersection of another trail.

### **TREADWAY**

The surface area within the trail upon which the user makes direct contact.

### **TRUNK LINE**

A major long-distance trail system. The ancient Hawaiian trails, or alaloas, (highways, roads) around an island are examples of a trunk line.

### **UPLAND TRAILS**

An area of land providing public access along shorefront bluff or cliff inland from the shoreline where the opportunity for lateral access along the water's edge does not exist.

### **VERTICAL ACCESSWAYS**

An area of land providing perpendicular connection between the first public road, trail, or use area adjacent to the shoreline or established lateral.

## **C. CRITERIA FOR LOCATION AND DISTRIBUTION**

In assessing the location and distribution of shoreline accesses, a regional assessment should initially be made. This assessment is based on the following:

- the shoreline destination
- surrounding land uses
- area resources

This analysis should be done on a regional basis in order to set the profile for site assessment criteria.

For example, once a regional area is selected, destination criteria must first be identified. Is the area more suitable for recreational type activities or is it remote and isolated? Are there special attributes to the region such as historical features or scenic vistas?

Upon identification of the shoreline destination category, the surrounding land uses must then be considered. This step in the analysis helps define existing and potential use conflicts that determine the type and distribution of access ways suitable for the region.

Finally, the resource base must also be examined to ensure that shoreline use demands and the character of the surrounding land uses are not significantly incompatible with existing natural resources.

This three-step analysis should provide a broad assessment of the coastal environment for the region in preparation for more specific site analysis.

### **1. Regional Assessment Criteria**

#### **a. Shoreline Destination**

The destination is the reason and or the purpose that access to the shoreline is desired. Shoreline destinations can be categorized by:



- 1) Recreation
 

Beach and shoreline parks for both active and passive activities; marinas; surfing and windsurfing sites; camping; hiking trails.
- 2) Food Sources
 

Fishing, diving, gathering of shellfish, limu, etc.
- 3) Special Features
 

Historic sites; natural beauty; primitive areas; scenic areas.
- 4) Environmental and/or Ecological Sensitivity
 

Wildlife reserve/habitats; wetlands; marine life conservation districts; natural area reserves.
- b. Surrounding Land Use Characteristics
 

Land use directly affects the level and demand for shoreline access.

  - 1) Population
 

High density use (commercial, resort) create greater needs for access. Cumulative build up of low density use (residential) will also generate greater user demand although at a risk of potential loss of privacy.
  - 2) Undeveloped Areas
 

Open spaces and agricultural lands. These sites are desirable as a relief from the urban environment and are attractive because of the low level of activity.
  - 3) Hazard, Security
 

Shoreline industrial areas, military sites, harbors, or airports may not be suitable nor compatible areas for extensive public access.
  - 4) Accessibility
 

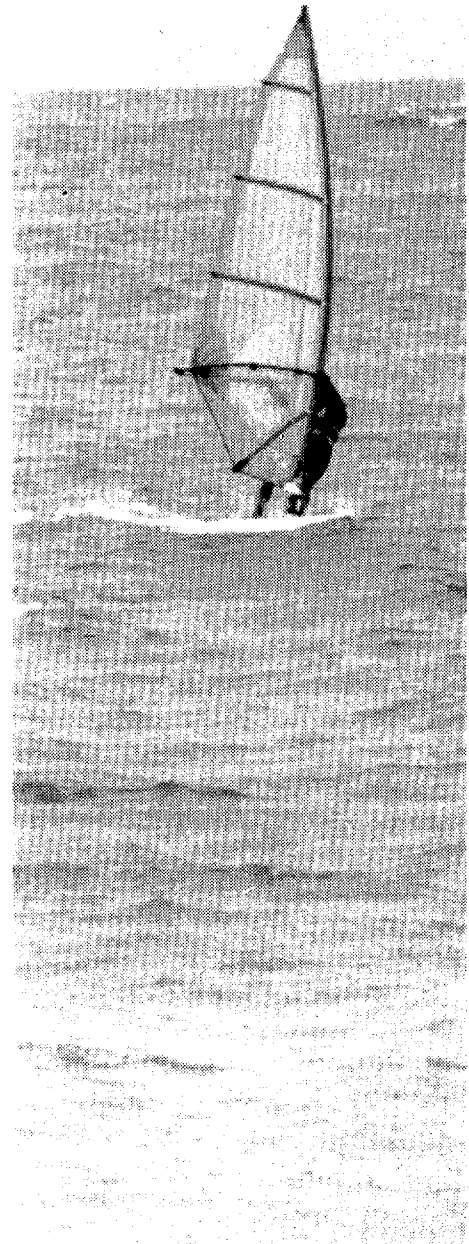
Areas closer to a public road, street, or public facility have a higher potential for public access.
- c. Resource Characteristics
 

Natural resources can both enhance and restrict public access. Significant landforms, historic sites, or other native features create pressures for access, yet natural areas such as wildlife habitats may be too fragile to withstand human intrusion. Desirable natural areas can also be hazardous (erosion, subsidence, or continuous high wave action) and may jeopardize the public safety.

  - 1) Accessibility
 

Those areas closest to public roads, streets, highways, or public facilities will tend to have higher access potential. In many cases, however, inaccessible areas may have higher access demands.
  - 2) Uniqueness/Interest
 

Natural, cultural, or environmental areas have high interest value if they are not too fragile. Educational or scientific value may be provided as well.



GENERAL STANDARDS  
FOR  
PUBLIC SHORELINE ACCESS

CRITERIA FOR LOCATION  
AND DISTRIBUTION

SHORELINE  
DESTINATION

SURROUNDING  
LAND USES

AREA  
RESOURCES

REGIONAL ASSESSMENT CRITERIA

- RECREATION
- FOOD SOURCES
- SPECIAL FEATURES
- ENVIRONMENTAL /  
ECOLOGICAL

- POPULATION
- HAZARD
- ACCESSIBILITY

- ACCESSIBILITY
- UNIQUENESS
- FRAGILITY
- HAZARD

SITE ASSESSMENT CRITERIA

RELATIONSHIP  
TO EXISTING  
ACCESSES

DEMAND  
REQUIREMENTS

RELATIONSHIP  
TO EXISTING  
AND POTENTIAL  
LAND USES

TYPE OF ACCESS  
TO BE PROVIDED

3) Fragility

Wetlands, habitats/nesting areas, some archaeological sites may not be capable of intense access except under controlled conditions (seasonal, permit).

4) Hazard

User hazard areas are categorized by erosion prone areas, areas with high cliffs, or unsafe geologic or ocean conditions. Low priority for the establishment of public access systems should be given to these sites. Development hazards areas include active fault zones and tsunami, flood, or landslide prone areas. Under controlled conditions, development hazard areas are often usable for public access and or open space because the development potential has been foreclosed.

**2. Site Assessment Criteria**

The following site assessment criteria focuses on the relationship of a specific geographical coastal area to the immediate surrounding environment. At this level of assessment, more detailed examination of user demands, site characteristics, and infrastructure considerations will result in the identification of access alternatives to be implemented through the proposed construction standards.

a. Relationship to Existing Accesses

Inventory and analyze existing or proposed access distributions in the surrounding area (type and length of trail; land tenure; destination purposes; potential linkages; etc.).

b. Demand Requirements

1) Inventory and analyze user profiles

- a) Short Term
- b) Long Term
- c) Seasonal
- d) Non-seasonal

2) Transportation Modes

- a) Vehicular
- b) Bicycle
- c) Motorcycle
- d) Pedestrian
- e) Other (horse, boat, helicopter, etc.)

c. Relationship to Existing and Potential Land Uses Assess:

- 1) The degree of development, proposed development, or non-development.
- 2) Impact to special or unique areas.
- 3) Surrounding property tenure (public/private)
- 4) Level of infrastructure (roads/water/etc.)

**3. Type of Access Required**

Based on the locational, regional, and site specific criteria, one or more of the following access types may be required.



- a. To shoreline (Vertical or Mauka/Makai)
- b. Along shoreline (Lateral)
- c. Combination of both vertical and lateral
- d. Adequate access exists; no access required

## **D. DESIGN GUIDELINES AND CONSTRUCTION STANDARDS**

### **1. Access Type**

- a. Paved vehicular: all types
- b. Paved major pedestrian/bicycle: bikeways, regional parks, etc.
- c. Non-paved vehicular: 4-wheel drive
- d. Minor pedestrian: foot trails
- e. Special use: equestrian, open access, etc.

### **2. Access Type By Land Use Categories**

#### **a. Government Installations**

#### **Access Type a**

#### **b. Coastal Industrial Facilities**

#### **Access Type a**

#### **c. Commercial Use**

#### **Access Type a, b**

#### **d. Resort Use**

#### **Access Type a, b, d, e**

#### **e. Residential Areas**

#### **Access Type a, b, d, e**

#### **f. Recreational/Open Areas**

#### **Access Type a, b, c, d, e**

#### **g. Unique or Ecological Areas**

#### **Access Type b, c, d**

### **3. Rights-of-Way Widths**

- a. Paved all-vehicular: As determined by County subdivision and zoning codes.
- b. Paved major pedestrian/bicycle: 15 feet minimum.
- c. Non-paved vehicular: 15 feet minimum.
- d. Minor pedestrian: 8 feet minimum with varying types of surfaces.
- e. Special Use (equestrian, open access, etc.): *Variable widths and surfaces*

### **4. Corridor and Buffer Widths**

Establishment of corridor and buffer widths depend on the overall surrounding access environment. The minimum suggested corridor width is two (2) times the width of the right-of-way unless the entire corridor is designated to provide open access.

### **5. Treadways**

Treadways should always follow the designated trails or accessways. "Trailheads" should start at easily accessible points and have appropriate facilities nearby (parking, restrooms, water, picnic facilities, trash receptacles). Gradients should be gentle and varied to suit the existing or finished contours. The minimum pedestrian space requirements should be based on occupied space plus "personal comfort zone" or approximately 42 inches (see Fig. 3).

Trails should not be located in areas of unstable soils or geologic conditions, and shoreline conditions should also be considered. Grading and vegetation removal





should be kept to a minimum and natural drainage-ways should not be diverted or impeded.

**a. Natural Surfaced Treadways**

Natural surfaces are best for normal pedestrian use because the initial construction cost is low. Maintenance costs are also low, but the frequency of repairs may be high. Natural surfaces are more appropriate in undeveloped or slightly used areas.

**b. Paved Treadways**

Paved pedestrian treadways are recommended under the following conditions:

- 1) Accessways with level terrain (slope less than 5%)
- 2) Accessways with a short distance between the trailhead and destination (beach, viewing area, etc.).
- 3) Accessways which generally receive heavy use.
- 4) Accessways where well-defined boundaries are desirable.

**6. Surface Types**

Surface types may consist of the natural existing material; gravel or crushed rock; reinforced concrete; asphalt or asphalt-concrete; concrete tile or grass-tile; brick; or similar materials.

The selection of surface depends on cost, material availability, and compatibility with the surrounding environment.

**7. Treadway Widths and Surfaces**

- a. Paved all-vehicular: As determined by County subdivision and zoning codes.
- b. Paved major pedestrian/bicycle: 4 feet minimum; 7 feet or greater recommended.
- c. Non-paved vehicular: 10 feet minimum; gravel or stabilized natural surface
- d. Minor pedestrian: 4 feet minimum with varying types of surfaces.
- e. Special Use (equestrian, open access, etc.): Variable widths and surfaces.

**8. Curbs**

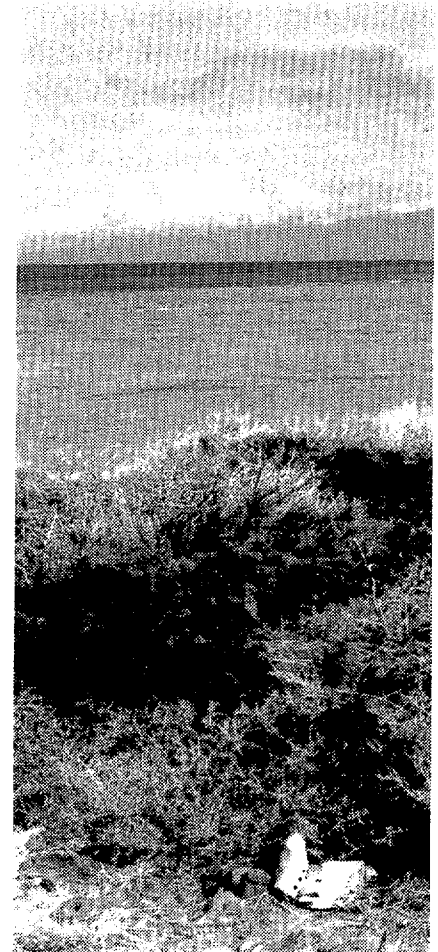
In addition to defining the treadway, curbs provide better maintenance definition. Curbs should be broken every 5 to 10 feet to prevent sheetflow runoff and can be constructed with either natural (wood, stone) or paved (concrete, brick) materials.

**9. Ramps**

Where feasible, ramps should be provided for the physically handicapped. The maximum gradient should be 8.33% with a minimum width of 48-inches.

**10. Stairways and Handrails**

The installation of stairways and handrails may be necessary where the slopes become too steep for an accessway. Most stairways are constructed of wood and supported by concrete pilings. Where geological conditions permit, individual steps may also be appropriate. Construction specifications should adhere to the requirements of the Uniform Building Code.



## 1. Fencing

Fencing provides definition of the accessway, particularly if the access is situated within an urban shoreline environment. Fencing material may be of wood or chainlink and should complement the surrounding structural environment.

## E. SUPPORT FACILITIES

Support facilities add to the public enjoyment of the public shoreline access system. Such facilities may also prevent undue environmental damage to fragile or sensitive access corridors when strategically placed along the system. Concentration of facilities may assist in maintenance efforts when the access system is large or a major trunkline.

### 1. Picnic Tables and Benches

Should be located where user privacy is considered and designed for use by the handicapped. Materials should be extremely vandal proof, preferably of concrete or similar material, and securely fastened to the site. They should not be located farther than 300 feet from either drinking water (if provided) or restrooms.

### 2. Restrooms

Restrooms should be conveniently located along the accessway, preferably near the trailhead. Unless it is a waterless, self-contained system, hookups to an existing water system may determine appropriate location. At least one (1) stall should be designated to accommodate the handicapped.

### 3. Trash Receptacles

Where picnic tables and benches are provided, at least one (1) trash receptacle should be accessible for every four (4) tables. Uniquely decorated or highlighted receptacles are more likely to be used than containers which blend into the surroundings. All receptacles should be securely anchored and emptied to coincide with periods of heavy use.

## F. PARKING REQUIREMENTS

Parking requirements are usually determined by user volume and destination use through site specific analysis.

### Active Use

Swimming, surfing, windsurfing, jetskiing, diving, boating/sailing, hiking, food gathering.

### Passive Use

Camping, picnicking, sunbathing, fishing.

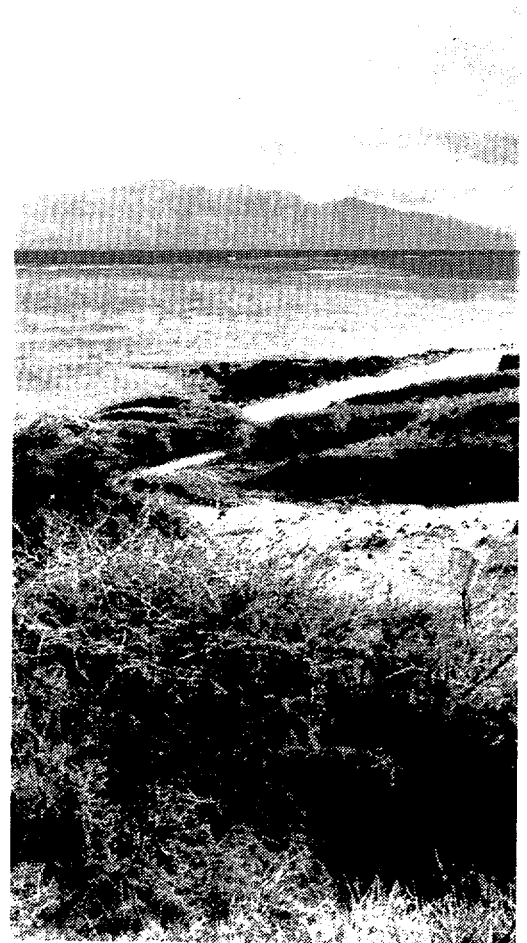
### User Profile

Short Term: Less than 3 hours (sunbathing, swimming, picnicking).

Long Term: More than 3 hours (camping, surfing, windsurfing).

Seasonal: Where destination use is curtailed because of regulatory requirements (migratory, spawning, or closed seasons for food/fish gathering) or seasonal changes of the shoreline conditions (high surf during winter months).

Non-seasonal: Picnicking, sunbathing.



## 1. Stall Requirements

The infinite number of user variables makes it extremely difficult to accurately compute user volume for translation into public access parking requirements. A suggested method for estimating public access parking requirements is to:

- Estimate the area of the destination (sq. ft.);
- Divide the destination area by 160 sq. ft. This figure is the medium density standard per person used for the Maui County Open Space and Outdoor Recreation Plan, SCORP, and the State Recreation Plan for passive activity (picnicking).
- Multiply by 2.5. This is the Turnover Capacity per day used in the above referenced documents.
- Divide by 3. This is an average vehicle capacity based on a 5-person vehicle.

$$\begin{array}{rcl} \text{Area of destination} & 2.5 \text{ (turnover capacity/day)} & \text{No. of} \\ \hline & \times & \\ 160 \text{ sq. ft.} & 3 \text{ (avg. vehicle capacity)} & = \text{Stalls} \\ & & \text{Reqd.} \end{array}$$

shore-13

Where structural improvements are required or imposed, the parking stall requirements of the Zoning Code should be applied, of which fifty percent (50%) may be compact-sized stalls.

Handicapped stall requirements should be considered and applied at a ratio of one handicapped stall for every twenty-five (25) public access stalls required.

## 2. Stall Dimensions and Paving Requirements

- Urban areas: refer to standards in Zoning Ordinance.
  - Regular stall: 8 feet 6 inches by 18 feet
  - Compact stall: 7 feet 6 inches by 16 feet
- Non-urban area: Dimensions as required in Zoning Ordinance.
- Paving alternatives may be considered (gravel, grass, stabilized natural area) based on site specific analysis.
- Parking will usually be situated at the trailhead of an access system except where the trailhead is at the intersection of a lateral trail. Most trailheads will begin at a public right-of-way or facility. Off-site parking may also be considered provided that the parking site is compatible with the destination/land use/resource matrix analysis.

## G. PUBLIC ACCESS LANDSCAPING

### 1. Functions

Landscaping provides several functions when used in conjunction with the total access system. In urban-type access systems, a primary function of landscaping is to soften and complement the structural aspects of the system (treadway, curbing, or surrounding facilities). In non-urban situations, only a minimum of landscaping may be necessary depending upon how the



access system has been incorporated into the surrounding area. Landscaping in such instances should complement the surrounding environment and access corridor.

## **2. General Guidelines**

- a. Landscaping should be compatible with the existing vegetation and environmental conditions when possible.
- b. Plantings with low maintenance should be selected.
- c. Poisonous or noxious plants should be avoided.
- d. Thorny bushes may be useful to control movement along the access system.
- e. Landscaping should vary depending on site analysis, and could mean little or no landscaping in wilderness or natural areas to heavier landscaping in urban shoreline environments.

## **H. SIGNAGE**

Unlike other Counties, Maui County has made a comprehensive attempt to produce uniform public access signage. Starting in the early 1970's special signs identifying public shoreline accesses have been erected throughout the County. This signage program has, to a large extent, helped identify those shoreline accesses which are clearly available to the public.

In several resort areas, however, special signs to identify public access systems have been erected and maintained by resort developers to complement the overall signage program for the particular resort development. These types of efforts should be encouraged provided that some uniformity and consistency with the County sign program is achieved.

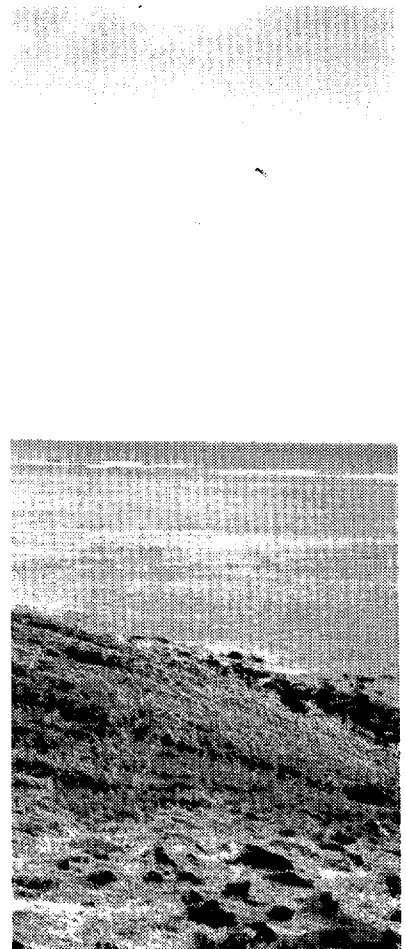
### **1. Guidelines**

- a. All public access locational signs should be uniform and consistent in size and content. Variety in material and color may be permitted as long as the overall effect of consistency is maintained. Compatibility with existing State, County or Federal dimensions is recommended.
- b. Common symbols should be used wherever possible.
- c. Materials should be durable and vandal proof.
- d. Public access locational sign perpendicular to the nearest public right-of-way or trailhead for easy visibility by either pedestrian or vehicular traffic.
- e. Informational or educational kept simple and in scale with other signs along or within the public access system.

## **I. MAINTENANCE**

### **1. Accessways**

If possible, all accessways should be designed for maximum anticipated damage. This will minimize the frequency of repair although the long term cost of repair may be higher when it becomes necessary. The initial cost will be high due to higher grade materials, supplies, and skilled engineering, contracting and labor costs.



Vehicular

Metal Post

Wood

# SIGNAGE

V Vehicular  
P Pedestrian

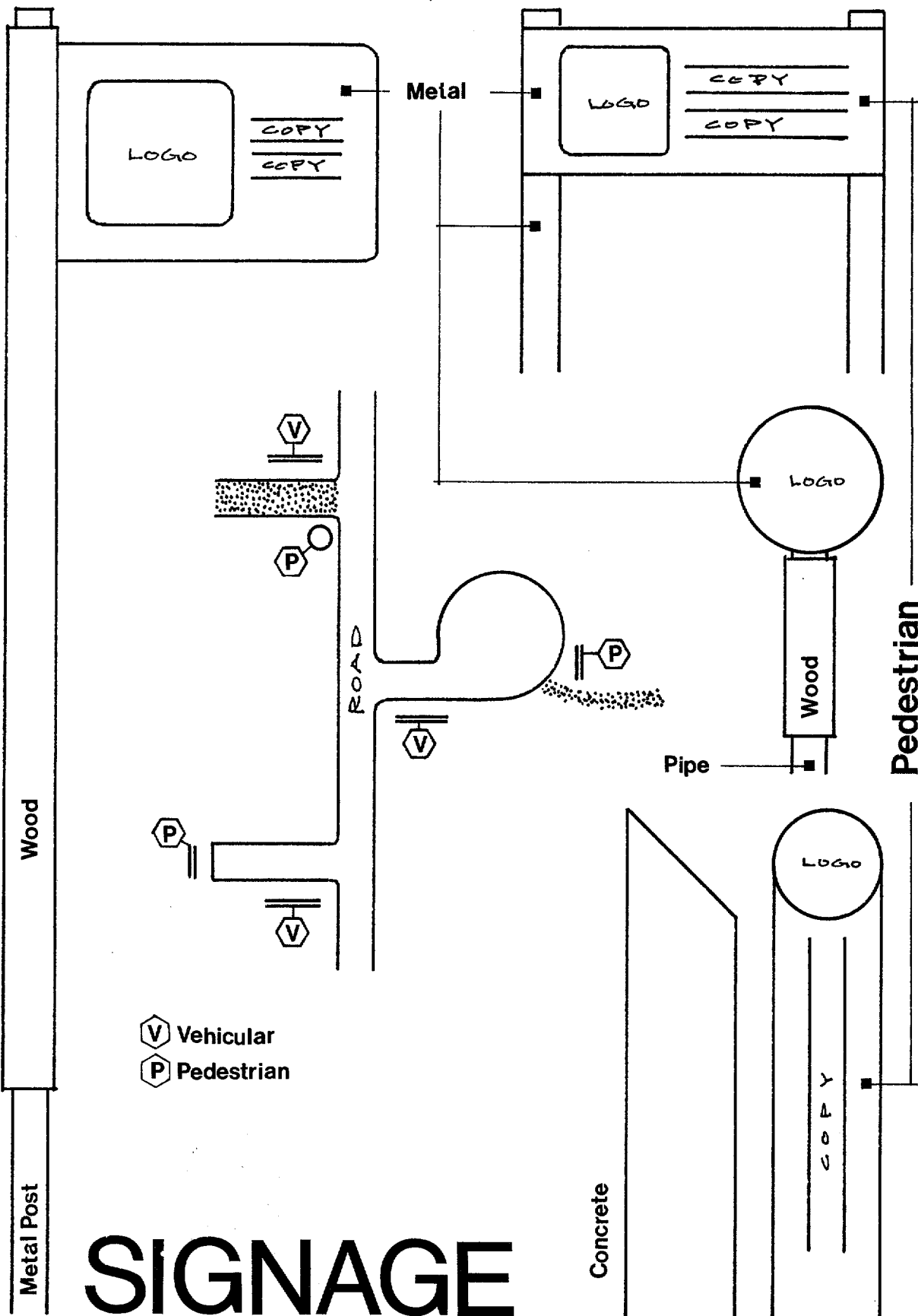
ROAD

Metal

Pipe

Concrete

Pedestrian



If the accessways is designed and constructed for moderate maintenance conditions, more frequent repairs can be anticipated. Long range costs may also be less because materials and labor will not be so specialized. Site constraints will determine the use of this alternative since it cannot be used on steep slopes, unstable areas, or areas of constant and heavy use.

Where possible, locate accessways away from the shoreline if it can be done without compromising locational criteria.

## **2. Facilities**

- a. Police waste containers in relation to access carrying capacity, particularly in periods of high use. Afternoon or early evening disposal of waste in receptacles should reduce potential of rubbish scattering by animals or availability of flammable materials to vandals.
- b. Use materials that discourage vandalism. Prompt maintenance, patrolling, and public education are best deterrents.
- c. Prompt general safety maintenance (i.e. trim coconuts, branches; repair damaged portions of treadway; etc.) is critical. Run down and poorly maintained facilities will be harder to repair or upgrade and generally encourage more vandalism.





## CHAPTER V IMPLEMENTATION PROGRAM

The high value of Maui County's coastal resources emphasizes the need for assuring continued public access to its shoreline. The establishment of an access management plan is a starting point, and the necessary first step. It then needs to be set into motion through specific programs and courses of action.

Suggestions for such programs and courses of action are made herein. However, these should not be regarded as being exhaustive, as any effective implementation program has to also be dynamic enough to meet the exigencies of a changing society. It is necessary to constantly monitor the impact of evolving social values, lifestyles, land use modifications and governmental policies, and utilize a planning process that is flexible enough to account for new methods and alternatives that emerge.

### A. ADOPTION OF POLICY

The management of Maui County's coastal accesses can best be carried out by the application of uniform and coherent standards and guidelines. In this regard, the County should adopt overall policies to govern the treatment of the many different aspects of a coastal access program.

It should be noted, however, that the County of Maui does have some policies relating to coastal accesses. However, they are reflected in a variety of planning documents or rules and regulations, such as the various community plans and the Planning Commission's Shoreline Management Area Rules and Regulations. It would be desirable to have clearly articulated policies in one area for easy reference and application, from which specific implementing measures (such as the Shoreline Management Area Permits, maintenance programs, etc.) can be developed and/or referenced to.

While some new policies would have to be developed, there are many existing policies that can serve as the starting point. Once developed, these would have to be reviewed publicly and eventually adopted by the County. It should be noted that the adoption process itself should generate wider community discussion of the proposed guidelines and other aspects contained in this Management Plan. When adopted, there should be a more predictable permitting environment for both the developer and the general public.

As noted earlier, there are some policies and guidelines within the various County Community Plans which could be used as the basis for this policy development program. These include:

- Preservation of sand dune formations throughout the planning region as topographic features that are a significant element of the natural setting by requiring new shoreline development to keep existing dune formations in tact, and leave indigenous or endemic strand vegetation undisturbed treating such vegetation as given conditions.



- Confinement of vehicular traffic to assigned areas to avoid erosion, damage to dunes, strand vegetation, or other shoreline resources; and prohibit use of vehicles where undeveloped areas are involved; and provide paved parking where drainage is a problem.
- The periodic expansions and shrinkages of beach depth and the cyclic nature of sand beaches should be incorporated into any shoreline development, public setbacks, and public access design.
- Prevent construction and post-construction activity adjacent to shoreline areas from erosion and runoff onto the shoreline or into nearshore waters, and survey natural and cultural resources in shoreline areas preceding development activity.
- Provide adequate landscaping of public accesses to shoreline areas having significant recreational and scenic value; provide adequate lateral public access along the shoreline to connect significant shoreline areas and to establish continuity; and provide for the landscaping of public setback areas to enhance recreational use and scenic quality.
- Provide adequate public parking for cars at the mauka end of accessways with vehicular drop-off points and turn-around areas adjacent to beach or beach park areas.
- Where scale of development and public accessways warrant, integrate public sanitation and recreational amenities with planning and design.
- Wherever possible, require public setbacks to include recreational space on lands behind the legally defined shoreline zone. This is to enable adequate public recreational activity and proper management of the shoreline.
- Protect the quality of nearshore waters through the monitoring of outfall systems to insure that waste disposal discharges meet water quality standards.

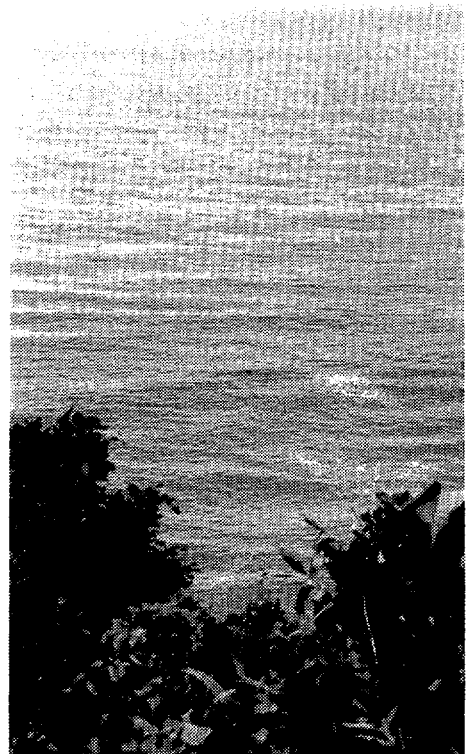
#### **RECOMMENDATION:**

##### **1. Coastal Access Policies**

Using the information provided herein as well as other planning documents, the County should develop and, after securing appropriate public input, adopt coastal access policies. These policies should generally address matters such as the identification, designation and improvement of public access to and along the shoreline; locational criteria such as destination, land use analysis and natural resource identification; construction standards for public access rights-of-way, easements, treadways and corridors, landscaping, signage, parking and maintenance; as well as historical/cultural aspects of Hawaiian Trails. These should also include the relevant aspects contained within the Community Plan guidelines as noted above.

##### **2. Adoption of Ordinance, Rules & Regulations**

Policies regarding shoreline accesses should be adopted through a vehicle ordinance as reflected in Appendix B. The specific policies are not included in the



proposed ordinance, as it would be more appropriate for the County to develop these policies and in coming forth with policies that are unique and responsive to the County's particular needs.

Pursuant to the adoption of such an ordinance, the various County agencies, such as the Planning Department, Planning Commission, and Parks and Recreation should promulgate rules and regulations to a properly implement these policies.

It should be noted that in the review and eventual adoption of such a proposed ordinance, appropriate adjustments should also be made to existing ordinances relating to coastal access. These would include the Subdivision Code and possibly even the Park Dedication Ordinance.

## **B. MAINTENANCE**

Resources for the upkeep of Maui County's shoreline accessways have come from the use of normal maintenance budget allocations under the County Department of Parks and Recreation. Access maintenance has occurred on an "as needed" or complaint basis. While there is a regular maintenance program budget for county parks, a specific budgeted amount for coastal accessways is not maintained.

To improve on existing maintenance efforts will require the establishment of standards for access maintenance and a commitment of public resources to this end. Such a commitment can come with wide based public support and the assurance of a continuing source of funding.

Several courses of action can be pursued at the same time or in sequence, depending on county resources. While funding underlies all efforts, a strong public education and community coordination program should also be pursued. This can encourage a caring attitude for the county's shoreline resources and broaden community understanding of public policies that protect a citizen's right to enjoy the coastline.

### **1. Maintenance Standards**

Guidelines and standards for design, construction and maintenance discussed in Chapter IV could serve as a starting point for the development of specific maintenance standards. Corridor widths, trail and treadway surfacing and widths, support facilities, parking requirements, signage and general safety need to be combined with locational information to arrive at projected maintenance budget costs for each site.

### **RECOMMENDATION:**

#### **a. Development of Maintenance Standards**

The director of the County Parks and Recreation Department should develop maintenance standards which take into account public access locational criteria such as destination, land use analysis and natural resource identification, and construction standards for public access rights-of-way, easements, treadways and corridors, landscaping, signage, parking and maintenance (Chapter IV).



Community Plan guidelines noted above should also be included where relevant and together applied to new coastline development as well. These standards could then be incorporated as part of coastal access rules and regulations discussed above.

Site specific maintenance requirements should be determined for existing and new public accessways. Maintenance requirements will vary from site to site, as this will depend on destination purpose, level of use, distance from public roads and centers of population, and time of year. The frequency of trash pick up, for example, will vary with user demand cycles. Heavy use of accessways and related support facilities on weekends, holidays, and summer months will require a higher frequency of trash pickup. Maintenance needs for accessways to centrally located shoreline swimming and picnicking areas with a family orientation will be different from one that is used primarily as access to rocky fishing grounds.

b. Determining-Maintenance Cost.

A better idea of general maintenance cost should be derived from determining maintenance standards for different types and features of accessways. These standards and cost projections can then be used in County planning efforts as well as to assist in developing resource allocations.

A base line of maintenance requirement information is a preliminary requirement to implementation cost options, including contracting of services and/or examining methods by which access maintenance can be coordinated with park maintenance schedules wherever possible.

2. Methods of Financing

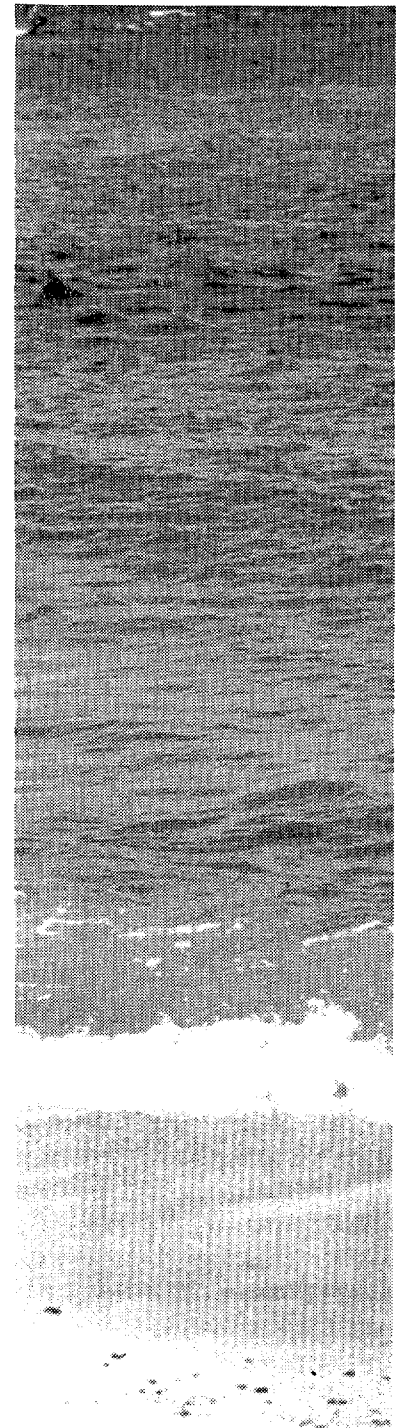
a. Public Funding

A continuing commitment of resources for shoreline maintenance is best accomplished through establishment of a County special fund. The earmarking or setting aside of an annual percentage of the County's parks and recreation maintenance budget for the accessway maintenance is one way of assuring continuing resources for the management program.

**RECOMMENDATION**

**Public Access Shoreline Fund**

In consultation with the County Finance Department the County Department of Parks and Recreation should develop for the County Council's consideration a "public shoreline access" fund by ordinance. Revenue sources for this fund could be derived from earmarking a percentage to the Department of Parks and Recreation's annual funding or that portion of the Department's budget allocated for maintenance programs and/or through special fees. As reflected in the draft Public Access ordinance (Appendix C), a percentage of the funds collected



should be set aside specifically for maintenance. This would complement the Department of Parks and Recreation's normal maintenance fund. Additionally, funds collected through this program should be earmarked and used only for the planning region within which the funds were collected. This would be not only equitable but it would provide greater means of assuring that maintenance work would be done for the respective planning region.

It should also be noted that in the use of these funds, the County should evaluate the pros and cons of having some or all of the maintenance requirements contracted out.

**b. Developer Participation**

Not all developers find themselves required to dedicate or include a public right-of-way to the shoreline, particularly if the coastal area has not been historically used, holds low level public value, and/or by reason of sufficient numbers of established accessways. To ensure as uniform an application of existing public policy regarding shoreline development and public access, developers could be required to contribute as part of the permit approval process toward this fund.

Conditions of approval through normal SMA process for the new development could include a consideration of the issue of "equity" for those property owners or developers who need not provide accessways. A special fee assessment could be imposed on such parties and earmarked for the County access maintenance and acquisition fund.

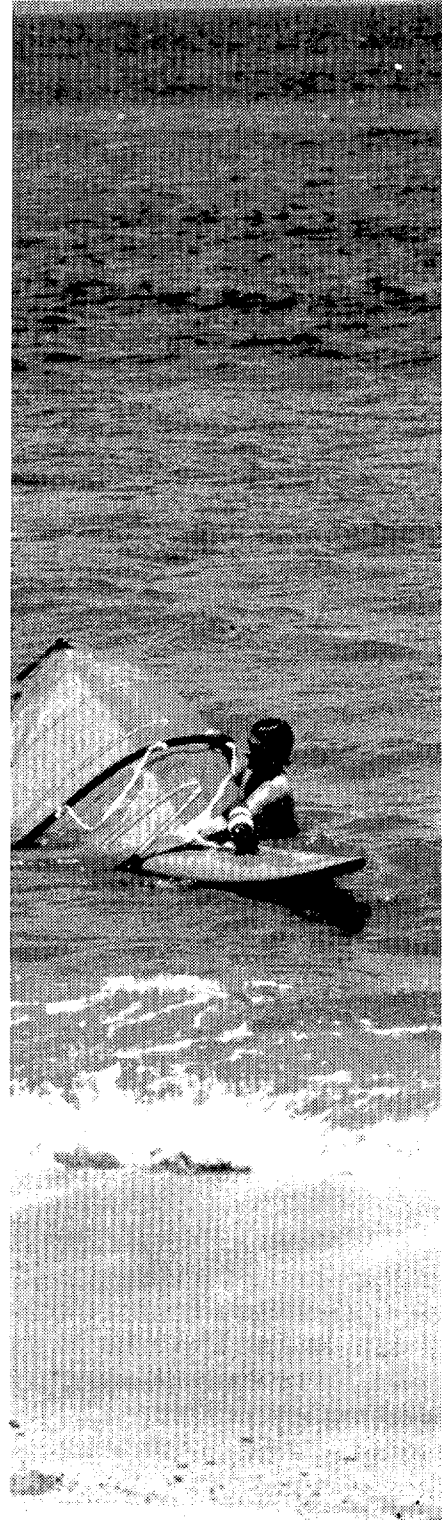
**RECOMMENDATION**

**"Fair Market Value" Fees**

The County should adopt an ordinance which embodies the following concept. One way of determining a monetary fee to be paid in lieu of dedicating or providing land and/or improvements is by way of a sum equal to the "fair market value" of the amount of land required. The Director of the County Department of Planning shall determine public access requirements prior to any approval of accessways, destination level of use and other criteria, standards and guidelines. Fair market value can be computed as of the time of the Director's determination of access and improvement designated land and/or required site improvements as agreed upon between the County and the subdivider or developer.

The Director may, in consultation with the County Finance Department, develop other options in determining appropriate assessment criteria and dollar value for determining methods of special fee assessment in lieu of accessway requirement.

All fees or monies received shall be deposited in the "public shoreline access" fund to be used for the planning, acquisition, development, improve-



ment, maintenance or administration of public shoreline access and related facilities.

A proposed ordinance reflecting this concept is attached as Appendix C.

c. **Private Maintenance**

Once an accessway is dedicated, its maintenance becomes a government responsibility, and therefore discussion of shoreline access maintenance generally is within this context. As an alternative, however, the possibilities of placing maintenance responsibility with the property owner should be explored. Some developers may find it to their advantage to assume responsibility for public access maintenance. Once set aside, there may be a need or preference on the part of the landowner for policing the accessway to prevent vandalism, loitering, litter, unsightfulness and general downgrading in property value.

Despite county efforts, it is almost impossible to keep Maui's extensive public shoreline accesses in prime maintenance condition and perpetually clear of vandals, loiterers and other despoilment of the accessway. More can be accomplished by encouraging cooperative maintenance efforts between landowner, developer, the community users and government.

Accessways at the Kalua Koi Development on the island of Molokai and the Wailea Development on Maui island were the best maintained of all accessways surveyed in the county. Its upkeep and condition is carried out by the development and clearly is to the advantage of serving the interest of the property owner and the development.

**RECOMMENDATION**

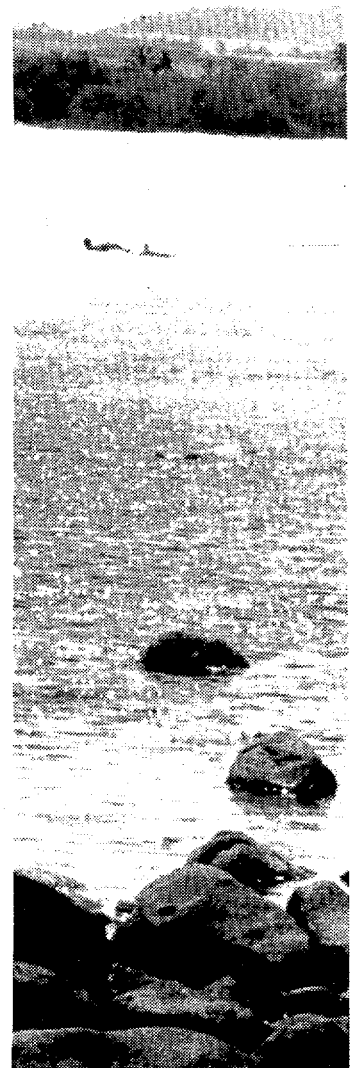
**Private Maintenance Option**

Notwithstanding other issues related to the question of liability, the possible option of passing on maintenance responsibilities to private property owners by virtue of preference and/or interest in general property control should be explored as an alternative to access maintenance being carried out solely by the County. Through the permitting process or other means, attempts to reach possible agreements regarding maintenance, particularly in special cases such as resort developments should be pursued.

**3. Public Education**

Among the most effective and most efficient means of implementing a shoreline access management program is through the cooperation of the general public. Efforts to develop a sense of pride toward "community property", and encourage a view of public accessways and shoreline corridors as conservation areas reserved for the public will contribute to the reduction of maintenance and repair demands.

The coordinated utilization of the community's serv-





ice group infrastructure can help enhance this public awareness. Public information on the care of beaches and accessways can be disseminated through public libraries and schools, civic organizations, public television, and county recreation programs. Service groups can be organized into regularly scheduled improvement, clean up and repair projects.

Voluntary litter clean up projects could be organized through the program and efforts coordinated between schools, park recreation programs, and community groups. Community Service groups capable of organized effort to undertake general improvement, beautification, repair and other maintenance measures could be enlisted to complement county efforts, e.g., Jaycees, etc. This will maximize public participation to help improve and maintain accessways as part of a continuing community campaign.

#### **RECOMMENDATION:**

##### **Mayor's Task Force on Beach Access Clean Up**

A special Task Force should be established through the Mayor's office, which would include representatives from all groups with the initial task of developing a schedule of community work days and soliciting groups to participate in beach access clean up projects. This would be an off-shoot of the County's on-going "Adopt-a-Park" concept. Instead, this could be "Adopt-an-Access" Program.

The Task Force could also organize and conduct a public education campaign aimed at the prevention of vandalism and litter in public accessways and shorelines through public school classes, county parks and recreation programs, and community organizations. This campaign could be to encourage the prevention of litter, trash, and vandalism in and around public shoreline accessways.

Utilizing county standards that can guide and direct community clean up efforts to target specific accessways, an orderly and coordinated schedule of voluntary maintenance can be carried out.

#### **C. FUTURE ACCESSES**

There are a number of coastal accesses whose present legal status may be questionable. They are listed as "private" in the database (Chapter III, Inventory). At the same time, there may be other used coastal accesses that have not been included in this Plan.

To assure continued public use of these accesses, appropriate actions should be taken at some point in time. The establishment of these accesses, however, because of time and other constraints, should be done in a systematic way and reflective of some sort of priority.

It should be noted that acquisition of future public rights-of-way cannot be carried out by any abstract scheme of regularly occurring geographic intervals along the coastline, but needs to be based on topography, amenities and level of demand. For example, it is possi-



ble to have several public accessways along a stretch of prime beach area, and none for several miles of hazardous terrain.

Suggestions for future programs are premised on shoreline access guidelines and standards already being in place and which are applicable to determining future accessways as well as maintenance levels for existing ones.

#### **1. Establishing Future Accessways**

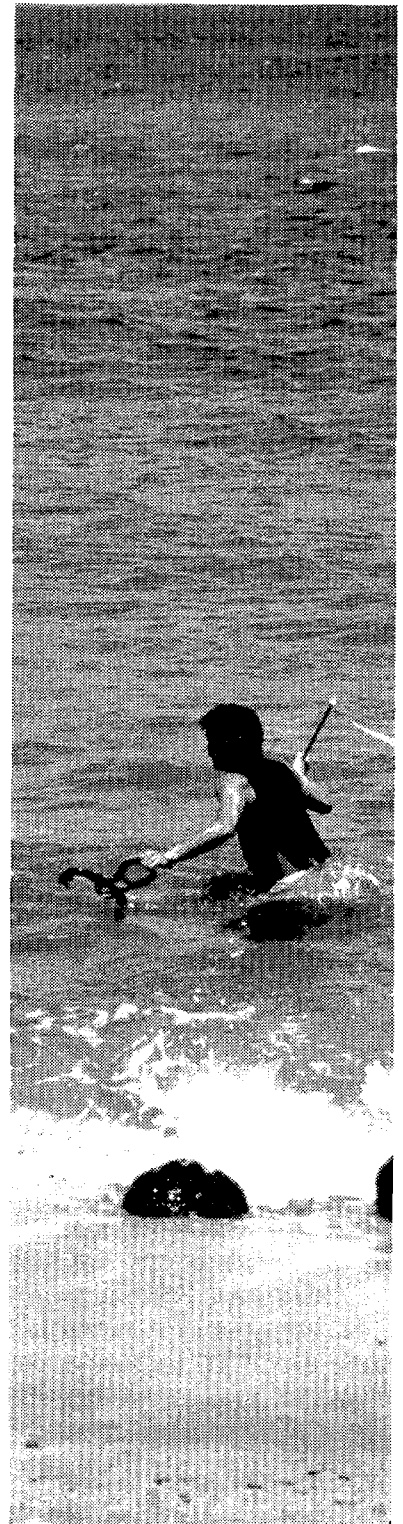
Based upon field research, discussions with area residents, and a review of various state and county documents relating to Maui County's shoreline, the following areas have been listed as a suggested listing for establishing future public accesses. The manner in which such accessways should be established will vary among such options as the county permitting process, state/county acquisition, negotiations with private landowners, and court action. These are discussed under "Methods of Establishment."

Priority rankings of high, medium and low for the establishment of future accessways have been based on the various criteria presented in Chapter IV, and include: relationship of demand requirements to type of destination resource; level of shoreline resources and accessibility; level of hazardous conditions; location in relation to other accessways; surrounding land uses; special features and uniqueness of physical resources as it serves the general area; multiple vs. single use; distance from public roads; and environmental and ecological considerations.

The priority listing does not include public lands under the jurisdiction of the state or the county government. It was felt that government land comes under the public trust. Hence, access options would appear to be more readily available than privately-owned properties.

It is important to note that in some areas, large private landowners have allowed ocean access to the public either by explicit permitted use on an informal basis or by implied understanding between the landowner and the community. A unique sort of access relationship has been carved out over time that has worked to the mutual benefit of the public and landowner. Some examples of this relationship are found in the Hana area between Hana Ranch (landowner) and the public, Castle and Cook (landowner) and the public on the island of Lanai; and some areas of Molokai by Molokai Ranch (landowner).

Because of this situation, these accesses were assigned a medium priority in the following pages and noted by an asterisk. It should be noted that if the understanding changes to the point of diminishing the existing access practice, the priority ranking for those accesses should be elevated to "High" and appropriate access establishment options should be exercised.



- a. Kahului-Wailuku
  - High Priority
    - Sprecklesville (TMK: 3-2-02: 34) A & B, Inc.
    - Sprecklesville (TMK: 3-8-01: 72) Maui Ctry Club
    - Waihee (TMK: 3-7-10: 01) Wailuku Sugar Co.
  - Medium Priority
    - Kahului-Hoaloha Park (TMK: 3-7-08: 17) A&B, Inc.
  - Low Priority
    - Waihee Stream (TMK: 3-2-02: 01) Wailuku Sug. Co.
    - Waiehu (TMK: 3-3-01: 51) Robert Such
- b. Paia-Haiku
  - Medium Priority
    - Paia (TMK: 2-6-10: 28) John Davids
    - Paia (TMK: 2-6-09: 02) A & B, Inc.
  - Low Priority
    - Paia - Lae Pl (TMK: 2-6-08: 10) Virginia Kaiama
- c. Hana
  - Medium Priority
    - Lehoula Beach (TMK: 1-4-02: 01) Hana Ranch
    - Ha'moa Beach (TMK: 1-4-10: 01) Hana Ranch
    - Waipauma Pt (TMK: 1-4-03: 03) Hana Ranch
    - Kipahulu Light Station (TMK: 1-3-2: 01) Jim Nabors
  - Low Priority
    - Puu (TMK: 1-8-01: 01) Kaupo Ranch, Ltd.
    - Kalahu Point (TMK: 1-3-02: 04) Hana Ranch
- d. Kihei-Makena
  - High Priority
    - Makena - Palauea Beach (TMK: 2-1-11: 10-25, 43-58) Palauea Beach Properties
    - Makena - Moomuku (TMK: 2-1-06: 12) R. Crandlemire
    - Makena - Big Beach (TMK: 2-1-06: 27, 53, 28 & 26) Seibu Hawaii
    - Makena (TMK: 2-1-07: 94) Seibu Hawaii
- e. Lahaina
  - High Priority
    - Hoolua Bay (TMK: 4-1-01: 10) Maui Land & Pine
    - Hawea Lighthouse (TMK: 4-2-01: 03) (U.S. Govt.)
  - Medium Priority
    - Honokohau Bay (TMK: 4-1-01: 09) Maui Land & Pine
    - Punalau Point (TMK: 4-1-01: 10) Maui Land & Pine
  - Low Priority
    - Owaluhi Gulch (TMK: 4-1-01: 09) Maui Land & Pine
    - Polehua (TMK: 4-1-01: 09) Maui Land & Pine
    - Keawalua (TMK: 4-1-01: 03) Maui Land & Pine
- f. Lanai
  - Medium Priority
    - Hulopoe Beach (TMK: 4-9-02: 01) Castle & Cook



- Shipwreck Beach (TMK: 4-9-02: 01) Castle & Cook
- Halepalaoa (TMK: 4-9-02: 01) Castle & Cook
- Kaunalou (TMK: 4-9-02: 01) Castle & Cook
- Lanai Landing (TMK: 4-9-03: 10) Alan Starr
- Low Priority
- Naha (TMK: 4-9-02: 01) Castle & Cook
- Awalua (TMK: 4-9-02: 01) Castle & Cook
- Polehua (TMK: 4-9-02: 01) Castle & Cook
- g. Molokai
- High Priority
- Make Horse (TMK: 5-1-03: 04) Pacific Bay Corp
- Medium Priority
- Kawakiu (TMK: 5-1-02: 01) Molokai Ranch
- Moku (TMK: 5-4-01: 27) Molokai Ranch

\*See earlier discussions on establishing accessways.

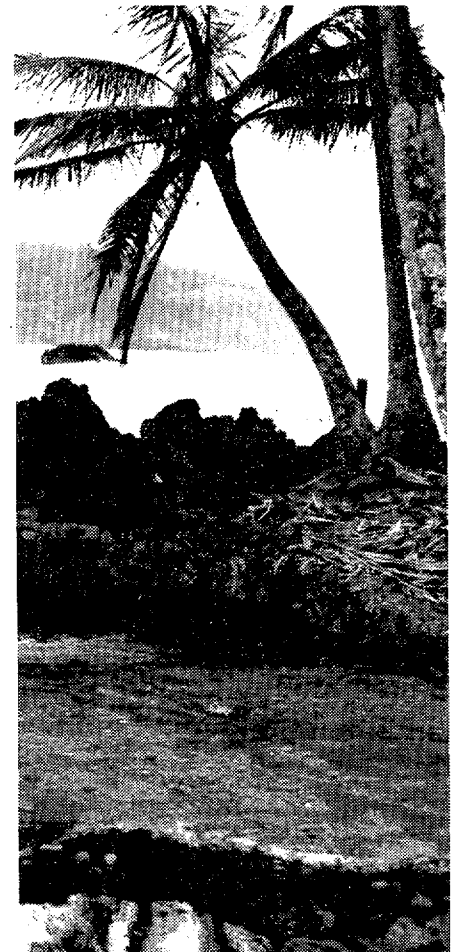
## 2. Methods of Establishment

There are several ways of establishing accessways. These range from the least complex and expeditious such as the permitting process, to a series of negotiations or court action, usually lengthy, complex and costly. The choice of one approach over another will depend on user demand, utilization of existing inventory information, standards and criteria adopted, general area features, existing agreements of understanding and other circumstances.

### a. County Planning Process

The most frequent and effectively used method of acquiring public beach accesses is through County approval of development projects. Under its Subdivision Ordinance and Special Management Area Rules and Regulations approval is to be conditioned upon fulfillment of requirements of developers and subdividers to dedicate rights-of-way or easements for pedestrian travel for public access from public highways and streets to beach and mountain recreation areas.

While state law establishes the maximum distance between public rights-of-way as "reasonable intervals," and allows counties to take into consideration the topography and physical characteristics of the land, Maui's Subdivision Ordinance further requires intervals of not greater than fifteen hundred (1,500) feet to be dedicated for public use with a minimum width of fifteen (15) feet for beach and other access rights-of-way where a subdivision fronts the shoreline or other public use or recreational areas. Grading of the entire length of the rights-of-way to its full width and planted with grass or other suitable finish as determined by the county is also a required improvement of subdivisions having beach or other rights-of-way.



**RECOMMENDATION:**  
**Standards and Guidelines**

The existing legal framework governing access acquisition conditions should be supplemented with a set of standards as suggested in Chapter IV relating to other access features such as width, parking, and support facilities. These additional guidelines should be helpful to both the County and the developer in determining a satisfactory access profile. Consideration should also be given to community planning areas and shoreline access guidelines contained in the community plans.

Additionally, a method to allow for the discretionary imposition of accesses, yet allowing access concerns to be uniformly applied, should be developed. A sample of such an ordinance is found in Appendix B. The adoption of the attached ordinance and/or procedures to reflect the guidelines contained here should be pursued.

**b. State/County Acquisition**

Through the judicious scheduling of Capital Improvements Projects (CIP) potential or needed shoreline accessways can be acquired by way of prioritizing and/or restricting public improvements of proposed extensions of utilities and circulation routes. Both the state and the county can delay the escalation of land prices by withholding construction from those area-sites to be developed until key lands are acquired.

Given Maui County's high level of coastal resource users, and the continuing growth of shoreline development, these accessways are valuable additionally public outlets capable of providing as much in the way of meeting recreational demands as parks and other land based recreational activities. It can be argued that shoreline access acquisition is a worthy public investment and is as vital, if not more feasible, than the space and maintenance requirements of larger facilities such as parks and golf courses.

**RECOMMENDATION:**  
**CIP Schedule for Beach Access**

Acquisition of accessways on privately owned land not submitted to development requirements, particularly those of high level attraction and user demand, should be incorporated as part of the County's priorities for capital improvement expenditures. A strong case can now be made for planned establishment and acquisition of these sites given the county's efforts to inventory and assess the value of these accesses in accordance with standards and guidelines.

**c. Negotiations with Private Land Owners**

Many accesses, generally, are on privately owned land but carry traditional and historical use by the public as a linkage to the shoreline. Negotiations with



private landowners is a process not frequently used but one which could yield worthwhile benefits to both the landowner and the County. It may be beneficial to both parties should future development occur on the land in question and ongoing negotiations is shown as part of the record.

While negotiations may proceed for acquisition of accessways on undeveloped land, particularly those showing long standing use by the public, another option is an agreement of use between the County and the landowner. Viewed as a partnership between government and landowner, it is a particularly helpful approach in cases where large landowners already allow public access over private property to reach shoreline resources. For large landowners, it is often preferable to work in partnership with government through an understanding of use regarding public access in order to maintain ownership and some management control over uses of its lands.

In Maui County, there are several locations involving large landowners, including Castle & Cook, Ltd. on Lanai, Molokai Ranch on Molokai, and Hanā Ranch on Maui. The County of Maui already has a license agreement with Molokai Ranch, Ltd., granting a nonexclusive license for use of an access right-of-way and adjacent beaches and parking area from the public highway and road to the shoreline. Conditional requirements include: use by the public only for noncommercial and recreational purposes except hunting; regulation of camping activities; time length of agreement and notice terminate; and with any relocation of the accessway by mutual agreement.

The agreement with Molokai Ranch also places responsibility with either the landowner or the County for such items as: access repair and maintenance including cost; utility poles, wires, pipelines and other accessories and equipment in relation to the shoreline destination area; keeping "licensed" premises clean and sanitary including cost; installation and maintenance of necessary gates, cattleguards, etc.; claims and demands for loss or damage or injury to persons or property that may arise by reason of use of premises, including damages, costs, attorney's fees, expenses or liabilities.

Negotiations could also include limited access if circumstances warrant—for example, limiting public use only between sunrise and sunset. Such negotiated agreements by the County should also stipulate that any change in land ownership or in any of the conditions agreed to will be cause for termination of the agreement. While its use is infrequent, it should be considered a standard option in dealing with access establishment and should be utilized in a systematic way.





## **RECOMMENDATION:**

### **1. Negotiation for Dedication**

Negotiations should be initiated with landowners to outrightly dedicate certain portions of land where there has been informal understanding of allowed use by the public, in order to eventually replace such uses with formal dedication of rights-of-way by recordation. While this may be the ideal, the process should include exploring areas where concessions can be made, particularly in areas of access related issues such as maintenance, limiting public use, liability and amenities. It should also be pursued where an agreement of use is deemed by the County to be inappropriate.

### **2. Negotiation for Agreement of Use**

In the event a landowner prefers not to have an outright dedication, the agreement of user application should be explored. In this approach, a list of standard considerations for negotiations with private landowners for public use of accessways without any change in ownership should initially be compiled to ensure consistent and systematic treatment of such agreements.

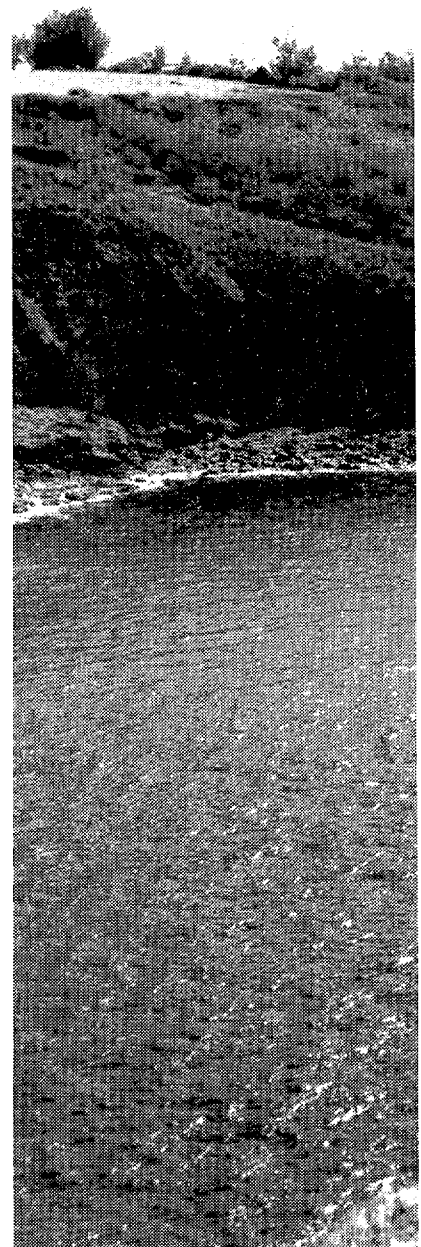
Inquiries should be initiated with landowners where there has been long standing public use, with an understanding that such an agreement of allowed use could be terminated by the County if land ownership changes or if there is a change in any conditions agreed to.

The licensed agreement between the County and Molokai Ranch regarding public use of accessways over ranch land to coastal areas could be viewed as a starting point. Special conditions utilized in other jurisdictions for accessways located on private resort developments could also be used, e.g., public use of access allowed from sunrise to sunset for purposes of security and liability, with access maintenance and repair being made the responsibility of the resort development.

#### **d. Court Action**

While access establishment is always possible through court action, other non-judicial alternatives should be initially tried, unless it is for purposes of initiating a test case to explore legal options. Many of the legal issues associated with public rights-of-way covered in Chapter II need to be considered. Such action can also be for the purpose of distinguishing between the application of state vs. county access laws or clarifying state vs. county liability problems.

The effectiveness of court action can be seen in a 1980 Circuit Court case where a private landowner in Hawaii County was required by the court to allow public access to the shoreline by way of four traditionally used routes to the seacoast and along



the coast. The Court recognized ancient and historical use as the basis for judgement against the landowner who had large numbers of people arrested for trespassing. The court also set widths for two lateral shoreline corridors as well as two coastal access routes running mauka-makai.

#### **RECOMMENDATION:**

##### **Selected Court Action**

Should other approaches fail, the County should initiate legal challenges for certain high priority areas to try to establish their use. Attempts to conduct ongoing negotiations with private landowners should precede such action. Since establishment of an easement or right-of-way is only one facet of the access program, such actions should also address related issues of maintenance, liability, terms of the access (limited or unlimited use), and amenities.

#### **D. SIGNAGE**

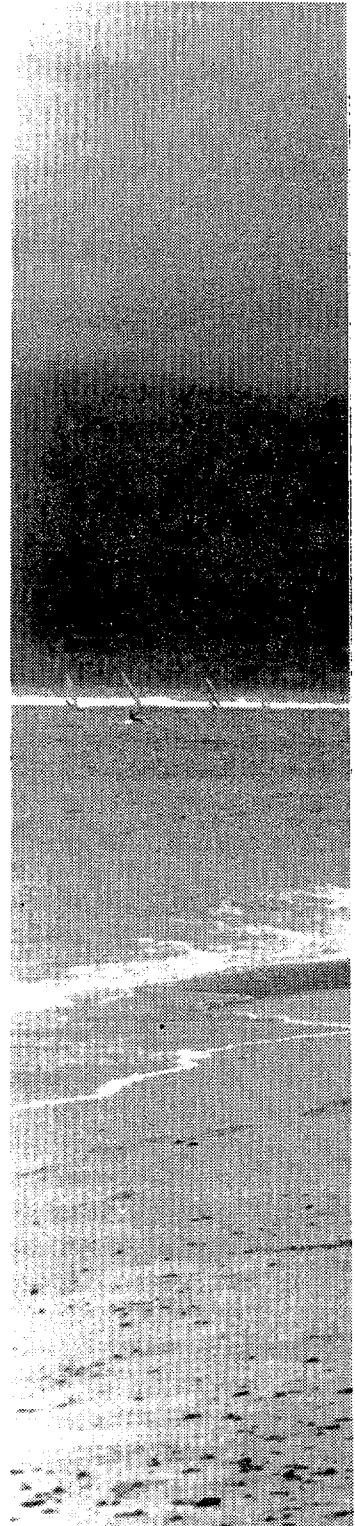
Destruction of public access signage has been reported as a frequent problem in Maui County. Steps to improve public shoreline access signage markers should be taken. An examination of options in design materials and footing to discourage vandalism should be undertaken. Present signage, especially in relation to public roads and highways, are placed parallel rather than perpendicular to vehicular movement. Even on foot, these signs cannot be seen from a distance and serve only to inform someone standing directly across the street from or directly in front of it.

Uniform symbols and color are also needed. A public education program will require easily identified and clearly recognizable marking of public accessways. Again, the consistency and quality of signage within private resort developments in the county present a good example. Signage is critical as far as a precautionary measure not only for improved access identification at the present but for coastal safety in the future. While a successful public education and community awareness program may provide great assistance to maintenance and acquisition programs, it will also bring larger numbers of people to the shoreline. Coastal signage also becomes critical, particularly in the area of government liability regarding water safety and other health hazards.

#### **RECOMMENDATION:**

##### **Uniform Shoreline Access Sign System**

The Department of Planning and Department of Parks and Recreation should jointly develop a uniform shoreline access sign system, making sure that uniform symbols and color are used, and that signs are placed perpendicular to the road. It should also reflect possible variations to account for potential boundaries and the overall ambiance of an area. Some examples are provided in Chapter IV. It should also include a public education program to familiarize users with clearly recognizable marking of public accessways and should reflect signage guidelines in Chapter IV.



## **E. LIABILITY ISSUES**

Inherent in the establishment of a county beach access program is the likelihood that the county will become liable for possible violations arising out of federal and state constitutional issues of private property and individual rights. Recreation areas, often rugged and remote, are fraught with potential injury risks arising from, among other things, negligence or nonfeasance by the county and its employees. Allowing private groups to assist with maintenance also could present liability problems.

The general use of accessways on both private and public lands, require consideration of minimizing county risk and exposure to costly legal actions. The issue of liability is not limited to only the County but involves a number of aspects from the perspective of the private landowner or developer. Clarification of situations where a private property owner has allowed public use but prefers to maintain property ownership would greatly assist the County in the permitting process, negotiations and possible court actions.

Another related issue is the question of "limited" public use. Landowners who set aside public access easement may be concerned over the liability issue. As such, to limit their exposure or for other reasons such as security, they may wish to impose some access restrictions, particularly relating to time (day or night) and every type (camping or no-camping) of uses. Some restrictions are already imposed on recreational activities in public areas, e.g., where and when camping can occur. This can be approached from the perspective of preventing any future restrictions on public access, or allowing limited uses as part of negotiations with landowners and developers.

These issues of liability are highly complex, and are currently under study by the State. While it falls outside the scope of this plan, its careful consideration is essential to Maui County's shoreline access program.

### **RECOMMENDATION:**

#### **Liability Study**

A specific study should be commissioned on the issues of liability including clarification of State and County liability particularly in regard to accesses established under state laws as differentiated from actions taken by the County, extent of liability on private landowners or developers under different conditions of accessway establishment, the impact on community groups interested in organizing litter clean up and other measures to assist the county's maintenance program, and the extent to which legal restrictions can be placed on public access.

A separate legal analysis could benefit both the county and the private owner or developer by giving both parties a better idea of the level of liability exposure in arriving at a satisfactory resolution of access issues. It will also affect and require adjustments in other areas of implementing actions.



## **F. UPDATED INVENTORY**

The computer based inventory of shoreline accessways in Maui County, prepared as another part of this project, should undergo regularly scheduled updating as noted in Chapter III. As new sites are acquired—whether by dedication, purchase, agreement of use or legal action—or existing ones modified, changes should be continuously integrated with the existing data base. State parcels to be turned over to the County located along coastal areas should be entered on the data base inventory, along with all state and county lands adjacent to the ocean. Information on historic trails should also be included whenever such data becomes available.

An updated inventory requires the establishment of procedures for the submittal of new information and a control point for data entering for consistency and accountability. Since more than one county department is involved in beach access, from maintenance to acquisition, one agency should be designated as administratively responsible for inventory updating.

In this way, the inventory can serve as a valuable planning tool for the County and resource for county and state shoreline management programs. It is an important resource for decision makers and should be kept as current as possible by means of an efficient system of data maintenance. This will ensure useful, current regional profiles on the location and nature of formal and informal shoreline accessways throughout the county.

### **RECOMMENDATION:**

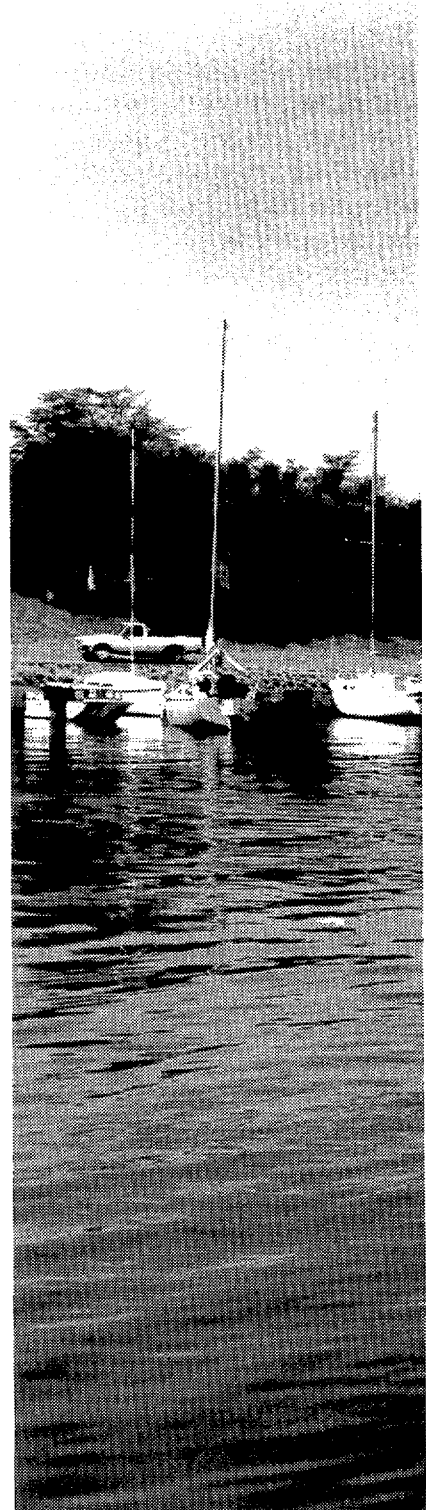
#### **Inventory Updating Program**

The responsibility for updating Maui County's beach access computerized data base should be placed with the Department of Planning. A program should be developed jointly with the Department of Parks and Recreation and other agencies involved with public shoreline activities. The program should outline procedures for submittal of information relating to new or modified accessways. A standardized checklist should be designed and used by all data collectors to ensure consistency of information.

This updating program should also include plans to include all state lands to be turned over to the county which are located in coastal areas, as well as all state and county public lands adjacent to the ocean in the access inventory. To the extent possible, information should be inputted on historical trails as this becomes available as well. Discussions should also address possible modification in categories and programming if necessary, viewing the inventory format provided herein as only a beginning.

## **G. ENFORCEMENT**

Problems of enforcing requirements relating to accessways run through the entire program of access establishment and maintenance. Contractual arrangements with a landowner or developer regarding maintenance levels, setting aside an access corridor, or



compliance with certain requirements within a time-limit, can be easily violated.

A frequent problem is the use of parking lots set aside by developers for beach goers but which are continually filled by non users such as business/social visitors or employees at nearby developments. This is somewhat common in development areas like Kaanapali on the island of Maui.

Another problem is the enforcement of laws against litter, loitering, and vandalism of public accessways. A schedule of penalties including community service and other fines could be developed. However, an examination of existing laws relating to litter and vandalism should be conducted to determine the adequacy of existing provisions for accessways and where additional measures could be imposed for the county through ordinance.

#### **RECOMMENDATION:**

##### **Review of Shoreline Access Penalty System**

Interagency funding should be sought for a joint in-staff study of possible community service requirements, penalties and other fines for noncompliance to County ordinances and rules and regulations relating to public access to the shoreline. Attention should be given to noncompliance with requirements relating to the establishment of accesses, adherence to deadlines by developers and landowners, keeping parking and other access amenities clear of misuse by non beach goers, and the deterrence of accessway litter, vandalism and any other actions deemed detrimental to the serviceability and appearance of accessways.



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## COASTAL RIGHT-OF-WAY INVENTORY CHECKLIST

## GENERAL INFORMATION

## A. Location

Island: \_\_\_\_\_

TMK: \_\_\_\_\_

Region: \_\_\_\_\_

Other: \_\_\_\_\_

## B. Nature of Ownership

Easement: \_\_\_\_\_

Private: \_\_\_\_\_

R/W lot: \_\_\_\_\_

Owner: \_\_\_\_\_

Other: \_\_\_\_\_

Public: (S/C/F) \_\_\_\_\_

## C. Nature of Coastal Interest

Beach: \_\_\_\_\_

Picnicking: \_\_\_\_\_

Fishing: \_\_\_\_\_

Water Sports: \_\_\_\_\_

Others: \_\_\_\_\_

## SPECIFIC CONDITIONS

## A. Access Identification

1. Signs (Yes\_\_\_\_\_ No\_\_\_\_\_)

a. Number: \_\_\_\_\_

b. Size: \_\_\_\_\_

c. Visibility from nearest roadway: \_\_\_\_\_

d. Comments: \_\_\_\_\_

## 2. Other Landmarks

## B. Type of Access

Dirt/gravel/grass: \_\_\_\_\_

Concrete: \_\_\_\_\_

Asphalt/pavement: \_\_\_\_\_

Others: \_\_\_\_\_

## C. Width of Access

Improved portion: \_\_\_\_\_

Legal width: \_\_\_\_\_

Unimproved portion: \_\_\_\_\_

## D. Parking Availability (Yes\_\_\_\_\_

No\_\_\_\_\_)

Right-of-Way use: \_\_\_\_\_ Generally: \_\_\_\_\_

Number: \_\_\_\_\_ Marked: (Y/N) \_\_\_\_\_

Paved: \_\_\_\_\_ Graveled: \_\_\_\_\_ Others: \_\_\_\_\_

Location: \_\_\_\_\_

Comments (eg., handicapped, parking restrictions): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Facilities Availability

Restrooms: \_\_\_\_\_

Condition: \_\_\_\_\_

Showers: \_\_\_\_\_

Condition: \_\_\_\_\_

Picnic Tables: \_\_\_\_\_

Condition: \_\_\_\_\_

Water Fountains: \_\_\_\_\_

Condition: \_\_\_\_\_

Telephone: \_\_\_\_\_

Location: \_\_\_\_\_

Receptacle: \_\_\_\_\_

Location: \_\_\_\_\_

Lifeguard Stands: \_\_\_\_\_

Location: \_\_\_\_\_

Type of handicapped provisions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### GENERAL CONDITIONS

#### A. Condition of the right-of-way

Unobstructed: \_\_\_\_\_

Fully obstructed: \_\_\_\_\_

Partially obstructed: \_\_\_\_\_

#### B. Maintenance Required (Yes \_\_\_\_\_ No \_\_\_\_\_)

What kind: \_\_\_\_\_

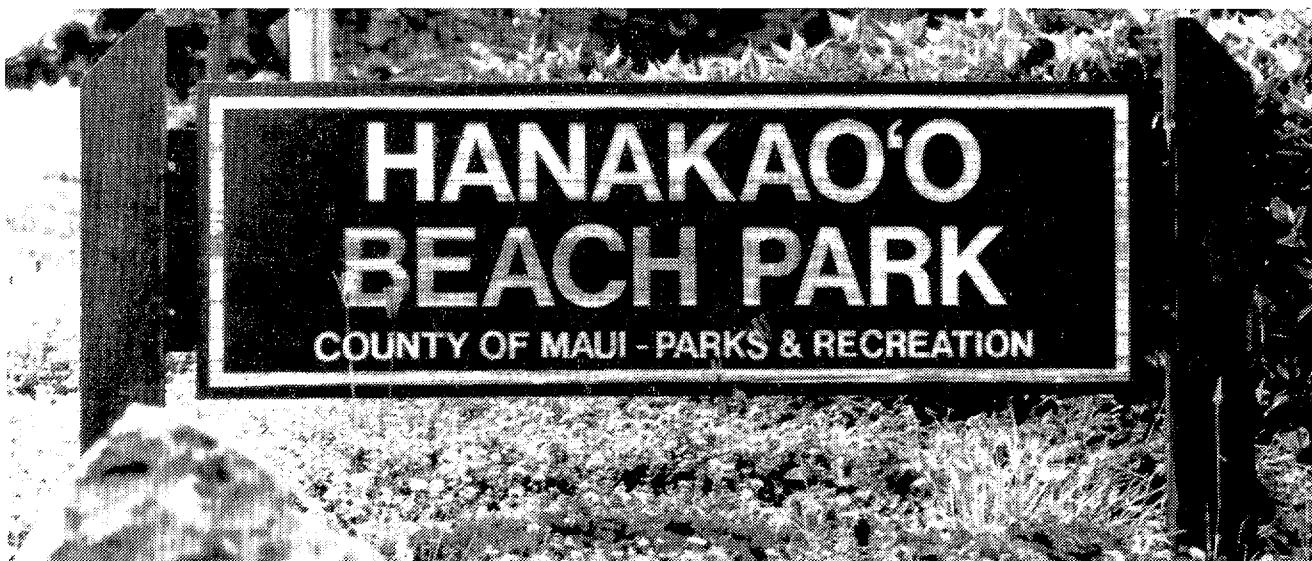
#### C. Kinds of safety hazards:

\_\_\_\_\_  
\_\_\_\_\_

#### D. Description of area (surroundings, street directions, etc.):

\_\_\_\_\_  
\_\_\_\_\_

#### E. Other Information:



**DRAFT**  
**COUNTY OF MAUI — STATE OF HAWAII**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PROVIDING FOR PUBLIC ACCESS TO THE SHORELINE.**  
**BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF MAUI:**

**Article 1**

Statutory Authority and Purpose

This ordinance is enacted pursuant to Section 46-6, HRS, as amended, and the County of Maui General Plan to provide for the identification, designation and improvement of public access to and along the shoreline and to implement the following policies relating to coastal access: (Maui County).

**Article 2**

General Provision

**SECTION 1. General Title.**

This chapter shall be cited as the Public Access Code.

**SECTION 2. Definition.**

For the purpose of this ordinance, certain terms used herein shall be defined as follows:

Section 2.1 "Chief Engineer" means the Director of the Department of Public Works.

Section 2.2 "County" means the County of Maui.

Section 2.3 "Dedication" means the conveyance of land, improvements, and facilities, easements, or any interest therein in fee simple title or ownership to the County for a specific use and purpose.

Section 2.4 "Development Permit" means a document or certificate granted by the Planning Commission or Director granting authorization, consent or permission to allow construction for a specific use, activity, or operation.

Section 2.5 "Director" means the Planning Director of the County of Maui.

Section 2.6 "District" means the community planning districts of the County.

Section 2.7. "Easement" means a grant of the right to use a strip of land for a specific purpose.

Section 2.8 "Fair Market Value", means the highest price estimated in terms of money which a property will bring if exposed for sales in the open market allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used.

Section 2.9 "Final Approval" means the final approval granted to a proposed subdivision where the division of land into smaller parcels is sought.

Section 2.10 "Right-of-Way" means the area established by legal description or other means which delineates a trail width as it traverses over land. It can be established as a legal property entity or as an easement through someone's land.

Section 2.11 "Shoreline" means the upper reaches of the wash of waves, other than storm or tidal waves, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves.

Section 2.12 "Shoreline Survey" means the actual field location of the shoreline in accordance with the definition herein along with the existing property lines, located and platted by instrument surveys with the property corners or appropriate references thereof along the shoreline marked on the ground by a registered land surveyor in the State of Hawaii. Such survey maps developed by the registered land surveyor, shall bear the surveyor's signature and date of field survey and the confirming signature of the Chairman of the Board of Land and Natural Resources.

Section 2.13 "Structure" means any combination of materials forming any construction, the use of which requires location on the ground or attachment to something having location on the ground.

Section 2.14 "Subdivision" means the division of improved or unimproved land into two or more lots, parcels, sites or other divisions of land for the purpose, whether immediate or future, of sale, lease, rental, transfer of title to or interest in, any or all such lots, parcels, sites or divisions of land.

Section 2.15 "Use" means the purpose to which land or any structure or improvement thereon or both are or may be put. The word "use" is synonymous with terms "land use" and "use of land" unless the context clearly indicates otherwise.

### **Article 3**

#### **Program Administration**

##### **SECTION 1. Application**

A. Every subdivider or developer of land abutting the coastline, as a condition precedent to issuance of a development permit or final approval of a subdivision, in cases where public access is not already provided, shall dedicate land or a monetary fee for public access by right-of-way or easement from the nearest public highway or public street to the land below the certified shoreline.

B. The provisions of this chapter shall not apply to:

1. Construction of a single-family residence that is not part of a larger development.
2. Repair or maintenance of roads, highways or water, sewer, power and telephone utility lines within existing rights-of-way.
3. Repair, maintenance or interior alteration to existing structures or relating to existing uses.
4. Subdivision or development of land for which tentative approval has been granted prior to the effective date of this chapter.
5. Subdivisions of land into two or more lots, parcels or interests only for the purpose of clarifying public records or title adjustments, provided that no additional lots are created.
6. Demolition or removal of structures.
7. In the event a development is subjected to the park dedication ordinance and this ordinance, the more stringent requirement, as determined by the Director, shall apply, and the lesser requirement shall be so waived by the Director.

##### **SECTION 2. Comprehensive Public Access Program.**

A. In the administration of this chapter, the Director shall consult, as appropriate, the Shoreline Access Management Plan (July 1986) prepared for the County of Maui under a grant by the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, U.S. Department of Commerce pursuant to the Coastal Zone Management Act of 1972.

B. The Director shall promulgate rules and regulations as necessary to implement this section in accordance with Chapter 91. Said rules and regulations may include, but not be limited to, public access locational criteria such as destination, land use analysis and natural resource identification, and construction standards for public access rights-of-way, easements, treadways and corridors; landscaping, signage, parking and maintenance.

##### **SECTION 3. Determination of Public Access Requirements**

As a condition precedent to issuance of a development permit or final approval of a subdivision of land applicable to this chapter, upon concurrence with the Director of Parks and Recreation and the Chief Engineer, the Director shall determine the location and improvements/facilities to be dedicated for public shoreline access or the amount of monetary fee thereof, or a combination of monetary fee and dedicating land in accordance with Section 2.

##### **SECTION 4. Dedication of Land and/or Improvements**

A. Prior to granting of preliminary subdivision approval by the Public Works Director, or development permit by the Director and/or the Commission, the County Council shall review and act on the public access location(s) and proposed improvements.

1. The required access improvements and/or facilities may be reasonably deferred, provided that an agreement and adequate surety bond guaranteeing construction is filed and accepted by the County.
2. The right-of-way or easement shall be clearly designated on the final map of the subdivision or development by metes and bounds or similar legal description.

B. Upon acceptance of the public access and related improvements through dedication by the County Council, the County shall thereafter assume the cost of future improvements and maintenance of the right-of-way or easement under its jurisdiction.

**SECTION 5. Monetary Fee in Lieu of Dedicating Land and/or Improvements.**

A. Where a monetary fee is determined to be paid in lieu of dedicating or providing land and/or improvements, the monetary fee shall be a sum equal to the "fair market value" of the amount of land required by Article 3, Section 2.

B. "Fair Market Value" shall be computed as of the time of the Director's determination of access and improvement requirements in accordance with the following:

1. The fair market value shall include the value of the designated land and/or required site improvements as agreed upon between the County and the subdivider or developer.

2. If the County and the subdivider or developer fail to agree on the fair market value of the land, the value shall be established and fixed by majority vote of three land appraisers; one shall be appointed by the subdivider, one appointed by the County, and the third appointed by the mutual agreement of the County and the subdivider or developer. Both parties shall equally bear the costs of the third appraisal.

3. Fees paid pursuant to this section shall be made directly to the Director of Finance and said fees shall be deposited in a "public shoreline access" fund.

4. All fees or monies received shall be used for the planning, acquisition, development, improvement, maintenance, or administration of public shoreline access and related facilities including but not necessarily limited to parking, landscaping, signage, restroom, and maintenance improvements; provided that a minimum of 10% per annum shall be set aside for maintenance. Fees or monies received in lieu of providing public shoreline access shall be expended in the community planning area in which that development is located, except when used for planning or administrative purposes. Except as otherwise noted herein, the Director shall determine the purposes, activities, and areas for funding priority.

5. When funds are needed for implementing public shoreline access purposes, the Director shall submit a written request to the Mayor for approval. Upon the Mayor's approval, the Finance Director shall be authorized to release monies from the fund.

6. All monies, interest and other forms of earnings resulting from the fees or monies received into the fund shall hereafter be the property of the County. The interest/earnings accrued from the fees or monies received into the fund shall be expended in the same manner as the fees or monies themselves.

**SECTION 6. Appeal Procedures.**

Action of the Director may be appealed in writing to the Board of Appeals in accordance with its rules.

**SECTION 7. Severability Clause.**

In the event that any portion of this ordinance is declared invalid, such invalidity shall not affect the other parts of this ordinance.

**SECTION 8. Effective date.**

This ordinance shall take effect upon its approval.



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